

# EXHIBIT A

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

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**TINNUS ENTERPRISES, LLC, ET AL.**

**Plaintiffs,**

**vs.**

**TELEBRANDS CORP., ET AL.**

**Defendants.**

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) **CASE NO. 6:15cv551-RWS-JDL**  
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**DECLARATION OF BARRY M. KUDROWITZ**

## TABLE OF CONTENTS

I. QUALIFICATIONS .....	1
II. LEVEL OF ORDINARY SKILL IN THE ART .....	2
III. SUMMARY OF OPINIONS .....	2
IV. OVERVIEW OF THE PATENT-IN-SUIT .....	3
A. Subject Matter of the '066 Patent .....	3
V. LEGAL PRINCIPLES .....	4
A. Infringement.....	4
B. Anticipation and Obviousness.....	4
C. Objective Indicia of Non-Obviousness .....	5
D. Indefiniteness and Enablement .....	5
E. Prior Art.....	6
VI. THE ASSERTED CLAIMS ARE INFRINGED.....	6
A. Independent Claim 1 .....	7
B. Dependent Claims 3-4, 7-9 and 14.....	21
VII. DEFENDANTS HAVE NOT RAISED A SUBSTANTIAL QUESTION OF VALIDITY	22
A. The Asserted Claims Are Not Indefinite.....	22
1. The term “ <i>substantially filled</i> ” is not indefinite.....	22
2. The term “ <i>connecting force</i> ” is not indefinite and is enabled.....	24
B. The Asserted Claims Are Not Anticipated by the Prior Art .....	26
1. The examiner considered all of the alleged prior art references .....	26
2. Two of the five references are not prior art .....	28
3. One of ordinary skill in the art would not find the asserted claims obvious in view of the prior art.....	32
4. Objective indicia indicate that the claimed invention is not obvious .....	35
VIII. MATERIALS CONSIDERED .....	37
IX. COMPENSATION .....	37
X. PUBLICATIONS AND PREVIOUS TESTIMONY .....	37
XI. CONCLUSION.....	37

[001] I, Barry M. Kudrowitz, have been retained as an expert in this case by counsel for Plaintiffs Tinnus Enterprises, LLC and ZURU Ltd. (collectively “Plaintiffs” or “Tinnus”).

[002] I have been asked to provide this declaration in rebuttal of arguments made by Defendants Telebrands Corp. and Bed Bath and Beyond, Inc. (collectively “Defendants” or “Telebrands”) in response to Plaintiffs’ motion for a preliminary injunction. I have been asked to offer my opinion regarding infringement and validity of certain claims of United States Patent No. 9,051,066 (the “’066 patent”) (attached as Exhibit 1), entitled “System and Method for Filling Containers with Fluids.” I note that the scope of this declaration is limited to the issues raised by Defendants in response to Tinnus’s motion for a preliminary injunction and that I expect to provide additional expert reports, opinions and testimony as necessary consistent with the Court’s schedule for discovery in this litigation.

## **I. QUALIFICATIONS**

[003] I have a Ph.D. of Mechanical Engineering from the Massachusetts Institute of Technology (MIT). Prior to that I received a Masters of Mechanical Engineering from MIT and a Bachelor of Science in Mechanical Engineering from the University of Central Florida, graduating Summa Cum Laude. My Masters Thesis, entitled An Exploration of Concepts for Projectile Toys, was specifically on the process of designing conceptual foam and water projectile toys. I worked closely with Hasbro Inc. for two years developing new technologies for Nerf brand and Super Soaker brand products. I am listed as an inventor on US Patent Number 7,673,625 Toy Projectile Launching Device as a result of this work with Hasbro. This technology was implemented in the Nerf Atom Blaster toy, which was on the market in 2006. I am also a listed inventor on an unrelated patent application for an Endoscopic Biopsy Needle Design. I have developed a course called Toy Product Design, which I have taught for eleven years at both the Massachusetts Institute of Technology and the University of Minnesota. In this

class, I teach a toy design process to students in engineering, design and business disciplines. I regularly speak nationally and internationally about creative product design and designing for play. I am currently an Assistant Professor and the Director of Product Design at the University of Minnesota in the College of Design. A copy of my curriculum vitae is attached as Exhibit 2.

## **II. LEVEL OF ORDINARY SKILL IN THE ART**

[004] It is my understanding that a validity analysis of the asserted claims must be undertaken from the perspective of what would have been known or understood by someone of ordinary skill in the art at the time the application for the patent-in-suit was filed. Telebrands has suggested that a person of ordinary skill in the art would have been “a person having a general knowledge about and experience with expandable containers, including without limitation balloons, and at least an associate’s degree in science or engineering.” (Telebrands Petition for Post Grant Review 15, Dkt. # 29-9 (“PGR Pet.”)) I disagree with Telebrands assessment of the person having ordinary skill in this field of art. The ’066 patent describes several possible fields of application including toy and medical application. It is my opinion that in each of these fields a person of ordinary skill in the art would have experience designing expandable containers and devices to fill such containers rather than merely “general knowledge about and experience with” such containers. It is also my opinion that the claims are directed to a person in the Mechanical Engineering or similar field with a 4-year Bachelor’s Degree or equivalent industrial experience.

## **III. SUMMARY OF OPINIONS**

[005] For the reasons stated herein, it is my opinion that the Telebrands Balloon Bonanza product infringes at least claims 1, 3-4, 7-9 and 14 of the ’066 patent.

[006] For the reasons stated herein, it is also my opinion that the Post Grant Review petition filed by Telebrands does not raise a substantial question regarding the patentability of

the '066 patent and that claims 1, 3-4, 7-9 and 14 are not invalid over the prior art cited by Telebrands.

#### **IV. OVERVIEW OF THE PATENT-IN-SUIT**

##### **A. Subject Matter of the '066 Patent**

[007] On February 7, 2014, inventor Josh Malone filed a provisional patent application for a new water balloon filling device, naming his company Tinnus Enterprises as the applicant. The application was titled "System and Method for Filling Inflatable Containers with Liquid." ("Feb. 7 Provisional"; attached as Exhibit 3.) The Feb. 7 Provisional discloses a system having a housing with a threaded opening removably attachable to a liquid supply tube at a first end and a plurality of holes at a second, opposite end, a plurality of hollow tubes attached to the plurality of holes on the housing, and a plurality of inflatable containers removably attached to the hollow tubes. (*Id.* at 1.) In particular, the Feb. 7 Provisional disclosed embodiments in which the liquid supply is a garden hose and the containers are balloons. (*Id.* at 2.) An elastic ring of sufficient size to expand and clamp around the tube is placed over the neck of the balloon, clamping and sealing it to the tube. (*Id.* at 3.) After the inflatable containers have reached the desired size, they are removed from the tubes by pulling them or by shaking the housing causing them to fall off. The elastic ring slides with the inflatable container and constricts the neck of the inflatable container, sealing it. (*Id.*)

[008] On February 20, 2014, Mr. Malone filed a second provisional patent application, entitled "System and Method for Filling Inflatable Containers with Fluids." ("Feb. 20 Provisional"; attached as Exhibit 4.) The Feb. 20 Provisional is the same as the Feb. 7 Provisional except that it added further disclosure that the inflatable containers can be used to collect fluids, such as liquids and gases, whereas the Feb. 7 Provisional only disclosed the collection of liquids. (Compare Exhibit 3 at 1 to Exhibit 4 at 1.)

[009] On September 22, 2014, Mr. Malone filed the non-provisional application that matured into the '066 patent ("’066 Patent Application"), claiming the benefit of priority to each of the Feb. 7 and Feb. 20 Provisionals. The '066 Patent Application included the disclosures of the Provisionals, expanded the description of various embodiments and added additional aspects of the invention, such as valves for controlling the flow of fluid (see '066 patent, Figs. 3-4) and alternative uses for the apparatus (see *id.*, Figs. 5-6).

## **V. LEGAL PRINCIPLES**

### **A. Infringement**

[010] I understand that whoever without authority makes, uses, offers to sell, or sells any patented invention, within the United States, or imports into the United States any patented invention during the term of the patent therefor, infringes the patent covering that invention.

[011] It is my understanding that to prove direct infringement, a patent holder must establish by a preponderance of the evidence that one or more claims of the asserted patents read on the accused device or method. To do so, the patent holder must establish that each element of the claim is present, either literally or under the doctrine of equivalents, in the accused device.

[012] I have been asked to provide this declaration in rebuttal of arguments made by Defendants in response to Plaintiffs' motion for a preliminary injunction. I have been informed that at this stage of the proceeding, the Plaintiffs need not show definitive proof of infringement, but rather need only show that they are likely to prove infringement.

### **B. Anticipation and Obviousness**

[013] I have been informed by counsel that a patent claim is invalid as anticipated only if each and every element of the claimed invention is disclosed, either expressly or inherently, in a single prior art reference. I have also been informed by counsel that a patent claim is invalid for obviousness only if each and every element of the claimed invention is found in a

combination of prior art references and the differences between the claimed invention and the prior art are such that the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time of the invention.

[014] I have been asked to provide this declaration in rebuttal of arguments made by Defendants in response to Plaintiffs' motion for a preliminary injunction. I have been informed that an issued patent is presumed valid. I have further been informed that a patent enjoys the same presumption of validity during preliminary injunction proceedings as at other stages of litigation and that at this stage the Defendants must raise a "substantial question" regarding validity. I am also informed that when no prior art or issue other than that which was considered by the USPTO examiner is relied on by the party challenging a patent, that party has the added burden of overcoming the deference that is due to a qualified government agency presumed to have properly done its job.

**C. Objective Indicia of Non-Obviousness**

[015] I have been informed that the Court must also consider objective evidence of non-obviousness presented in a case. I have been informed that examples of such objective evidence include: (1) the invention's commercial success; (2) long felt but unresolved needs; (3) the failure of others; (4) skepticism by experts; (5) praise by others; (6) teaching away by others; (7) recognition of a problem; (8) copying of the invention by competitors.

**D. Indefiniteness and Enablement**

[016] I am informed that a patent may be found invalid for indefiniteness only if its claims, read in light of the specification delineating the patent, and the prosecution history, fail to inform, with reasonable certainty, those skilled in the art about the scope of the invention. I am also informed that terms of degree are, such as "substantially," are not inherently indefinite and



that claim language employing such terms has long been found definite where it provided enough certainty to one of skill in the art when read in the context of the invention.

[017] I am also informed that a patent meets the enablement requirement when one skilled in the art, after reading the specification, could practice the claimed invention without undue experimentation.

#### **E. Prior Art**

[018] I am informed that “prior art” refers to information that was known before the filing of the patent application and that therefore can establish that the claimed inventions are not new, or were obvious. The patent laws provide that the claims are not new if the invention claimed is disclosed in certain prior art references. This encompasses any printed publication in this or a foreign country as well as any public use or sale in the U.S. of the claimed subject matter. I am also informed that a patent application may, in certain circumstances claim priority to an earlier filed provisional or non-provisional application and have as its effective filing date the filing date of the earlier filed application. Accordingly, it is my understanding that any reference that is not dated before the effective filing date of the patent cannot be prior art to the patent for purposes of invalidating the patent.

#### **VI. THE ASSERTED CLAIMS ARE INFRINGED**


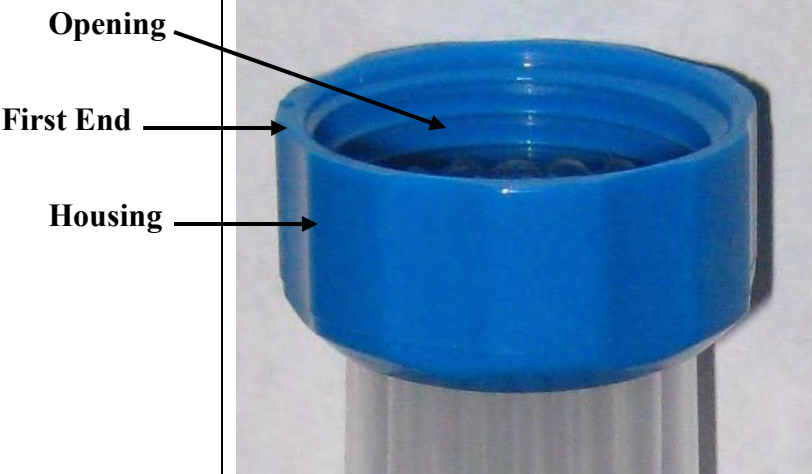
[019] I have examined the accused product and observed it in operation. It is my opinion that claims 1, 3-4, 7-9 and 14 of the '066 patent are infringed. It is my understanding that the Defendants contend that Tinnus has failed to establish that the Telebrands' Balloon Bonanza incorporates each element of the asserted claims. To the contrary, as set forth below, the publicly available information published by Telebrands and an examination of the product itself show that the Balloon Bonanza product includes each element of the asserted claims. In

preparing this section, I have used sections of the claim chart submitted by Plaintiffs in conjunction with the preliminary injunction motion and have added labels, figure designations and additional figures as appropriate.

**A. Independent Claim 1**

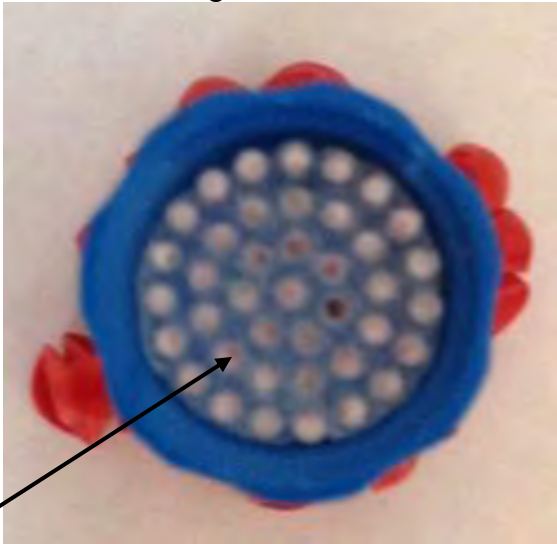

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
1. An apparatus comprising:	The Balloon Bonanza is an apparatus.	

[020] While I understand that the preamble to a claim is not necessarily a limitation of the claim, the Balloon Bonanza product is clearly an “apparatus” within any reasonable meaning of that term.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
<p>[1a] a housing comprising an opening at a first end, and</p>	<p>Telebrands' Balloon Bonanza includes a housing with an opening at the first end. The opening is used to secure the housing (blue portion in Figure A at right) to a hose or spigot.</p> <p>Figure B at right is a photograph of the housing of the Balloon Bonanza showing an opening at the first end.</p>	<p>Figure A: Screen capture from <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited June 16, 2015)</p>  <p>Figure B: Photograph of sample Balloon Bonanza housing.</p> 

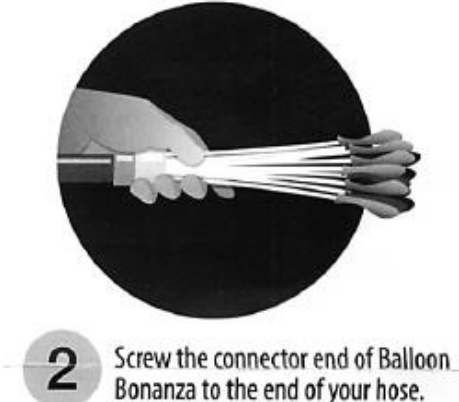
[021] It is my understanding that Defendants contend that Figure A above “does not show any opening in a first end of the housing.” However, it would be clear to one of ordinary skill from this figure that the product does include an opening for attachment to a hose or similar filling device as explained by the [www.buyballoonbonanza.com](http://www.buyballoonbonanza.com) website. In addition, the labeled photograph of Figure B clearly shows that the housing does include an opening at a first end. Finally, I note that Defendants do not dispute that the Balloon Bonanza has an opening at a first

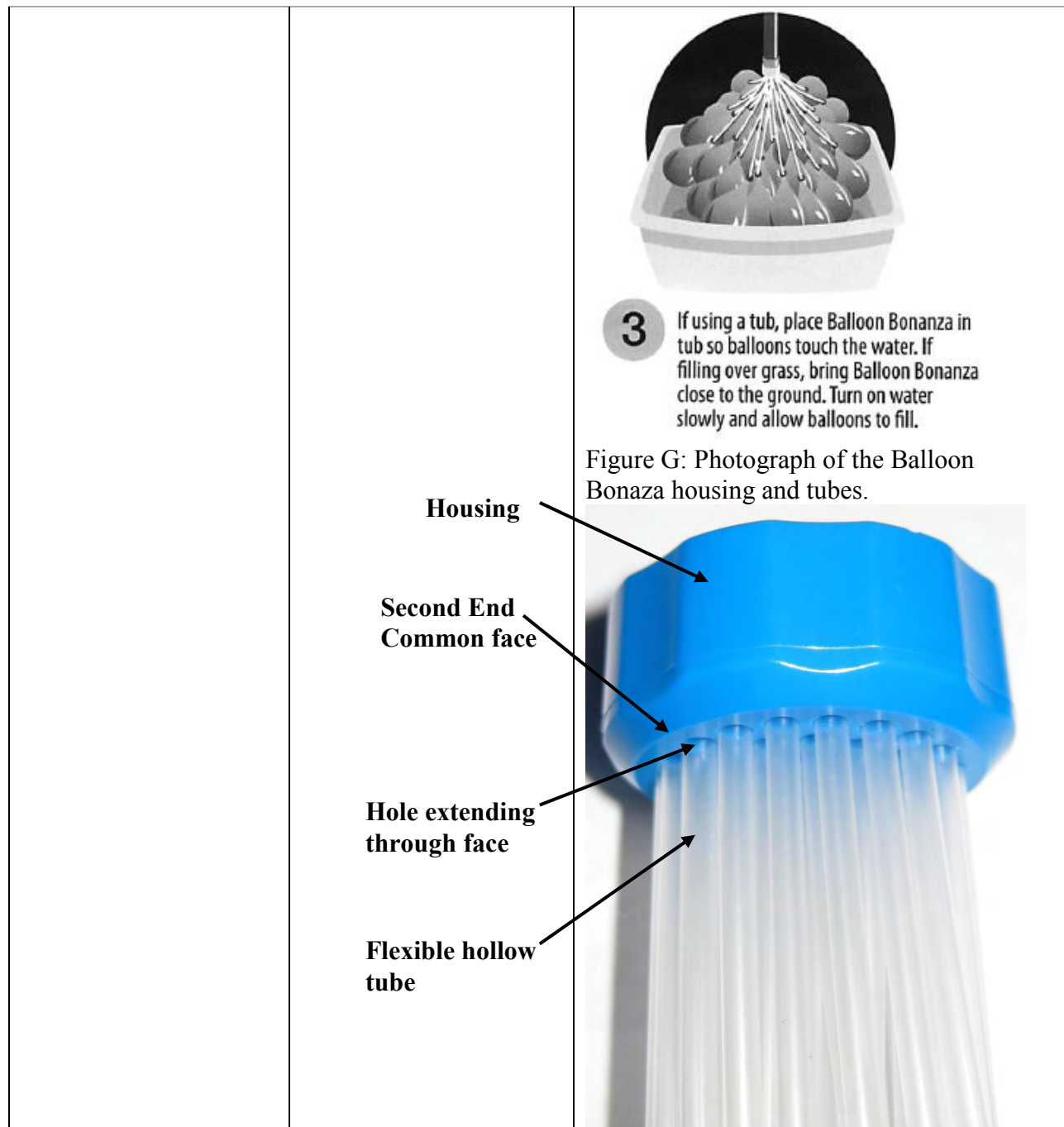
end. Accordingly, it is my opinion that the Balloon Bonanza includes a housing having an opening at a first end as required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
<p>[1b] a plurality of holes extending through a common face of the housing at a second end;</p>	<p>The Balloon Bonanza has a common face at the second end of the housing, and the face has multiple holes extending through it. As can be seen in the Figures C and D at right, the blue housing portion has a plurality of holes through which tubes extend.</p> <p><b>Hole extending through face</b></p> <p><b>First End</b></p> <p><b>Housing</b></p> <p><b>Second End</b></p> <p><b>Common face</b></p> <p><b>Hole extending through face</b></p>	<p>Figure C: Photograph of the Balloon Bonanza housing from the first end.</p>  <p>Figure D: Photograph of the Balloon Bonanza housing and tubes from the side.</p> 

[022] It is my understanding that Defendants contend that Figure C “is a blurred image that does not show any tubes, does not show a second end, and does not show a plurality of holes extending through the second end.” However, it would be clear to one of ordinary skill from this figure that the product does include “a plurality of holes extending through a common face of the housing at a second end.” In the context of the accused device, the picture, even if a bit blurred, indisputably shows a picture of the housing looking down through the opening of the first end to the common face of the second end and showing a plurality of holes extending through that common face. To avoid any question that the Balloon Bonanza includes the claimed elements, I have provided a second photograph, Figure D, with the elements labeled.

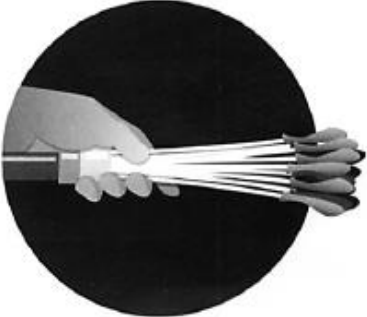

[023] Again, I note that Defendants do not dispute that the Balloon Bonanza does, in fact, have a plurality of holes extending through a common face of the housing at a second end. Accordingly, it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
[1c] a plurality of flexible hollow tubes, each hollow tube attached to the housing at a respective one of the holes at the second end of the housing;	As shown in the figures at right, a plurality of flexible hollow tubes are each attached to one of the holes in the second end of the housing. Step 2 of the Balloon Bonanza instructions shows the tubes attached to the respective holes of the housing, and step 3 of the instructions illustrates that the tubes are flexible.	<p>Figures E and F are reproductions of steps 2 and 3 of instructions included in the packaging of the Balloon Bonanza.</p> 



[024] It is my understanding that Defendants contend that Figures E and F are “not images of the actual product, and as such are improper and irrelevant.” While it is true that these figures are not images of the actual product, they are Telebrands’ instructions to users about how to use the product. It is my understanding that Tinnus must show that it will likely succeed in its

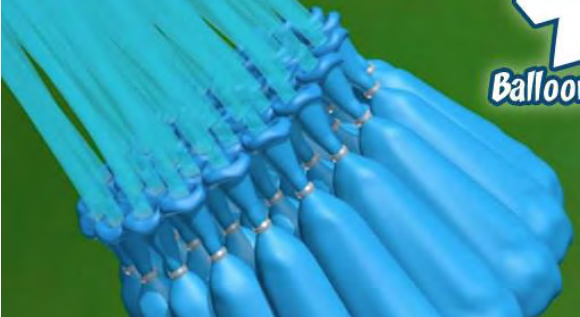

claim of patent infringement. It seems to me more than likely that the accused Balloon Bonanza product has the features and performs in the way identified in Telebrands' instructions for how to use the product. In any event, I have included a photograph, Figure G, that shows a plurality of flexible hollow tubes, each hollow tube attached to the housing at a respective one of the holes at the second end of the housing. Again, I note that Telebrands does not argue that this element is absent from the accused product. Accordingly, it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
<p>[1d] a plurality of containers, each container removably attached to a respective one of the hollow tubes; and</p>	<p>The Balloon Bonanza includes a plurality of containers (balloons), each attached to one of the hollow tubes. As can be seen in the figures at right, a balloon is attached to each of the hollow tubes.</p>	<p>Figure H is a reproduction of step 2 of instructions included in the packaging of the Balloon Bonanza.</p>  <p><b>2</b> Screw the connector end of Balloon Bonanza to the end of your hose.</p> <p>Figure I: Photograph of the Balloon Bonanza tubes and containers.</p>  <p><b>Flexible hollow tube</b></p> <p><b>Container</b></p>

[025] As with element 1c, Defendants contend that Figures E and F are “not images of the actual product, and as such are improper and irrelevant.” Again, it seems to me more than





likely that the accused Balloon Bonanza product has the features and performs in the way identified in Telebrands' instructions for how to use the product. However, I have also included a photograph, Figure I, that shows a plurality of containers, each container attached to a respective one of the hollow tubes. I have examined and used the accused product and verified that the containers are removably attached. Telebrands does not argue that this element is absent from the accused product. Accordingly, it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
<p>[1e] a plurality of elastic fasteners, each elastic fastener clamping a respective one of the plurality of containers to a corresponding hollow tube, and</p>	<p>As shown in the figures at right, the Balloon Bonanza has a plurality of elastic fasteners. Each fastener clamps the neck of one of the balloons to a corresponding hollow tube.</p>	<p>Figure J is a screen capture from <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited June 16, 2015).</p>  <p>Figure K: Photograph of the Balloon Bonanza tubes, containers and elastic fasteners.</p> 

[026] It is my understanding that Defendants contend, “Plaintiffs identify a screen shot from Defendants’ website, which is an animation and not the actual product, and as such is improper and irrelevant.” It is my understanding that at this stage of the proceeding such information is not “improper and irrelevant” as it is more likely than not that the illustration from

Telebrands' website accurately represents the Balloon Bonanza product. I have included a photograph, Figure K, that shows a plurality of elastic fasteners, each elastic fastener clamping a respective one of the plurality of containers to a corresponding hollow tube. Telebrands does not argue that this element is absent from the accused product, and accordingly, it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
<p>[1f] each elastic fastener configured to provide a connecting force that is not less than a weight of one of the containers when substantially filled with water, and</p>	<p>As shown at 1:22 in the promotional video provided on the <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> website (Figure L at right) and the instructions included with the Balloon Bonanza (Figure M at right), the balloons remain attached to the tubes even when they are substantially filled with water. Accordingly, each elastic fastener provides a connecting force that is not less than a weight of one of the containers when substantially filled with water.</p>	<p>Figure L is a screen capture from a video found at <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited June 16, 2015).</p>  <p>Figure M is a reproduction of step 3 of instructions included in the packaging of the Balloon Bonanza.</p>  <p><b>3</b> If using a tub, place Balloon Bonanza in tub so balloons touch the water. If filling over grass, bring Balloon Bonanza close to the ground. Turn on water slowly and allow balloons to fill.</p>

[027] It is my understanding that Defendants contend, “None of the images demonstrate that the actual BALLOON BONANZA product has an elastic fastener or a connecting force provided by an elastic fastener, and as such are improper and irrelevant.” This contention is simply incorrect. Figure L is not an illustration, animation or instruction; it is a screen shot of a video showing the operation of the actual Balloon Bonanza product. I have attached this video as Exhibit 5 to this declaration. Telebrands cannot legitimately argue that this video and screenshot of the accused product in use are “irrelevant.” As Figure L shows, the balloons remain attached to the tubes even when they are substantially filled with water. This means that there must be a connecting force attaching the balloons to the tubes that is at least equal to the weight of the balloons when they are substantially filled as required by this element. I have observed and used the infringing Balloon Bonanza product and confirm that it behaves as shown in the video and in accordance with this element of claim 1.

[028] Defendants also argue that the Court cannot properly determine whether the Balloon Bonanza product infringes the claim because Tinnus has not provided claim construction, including for the terms “substantially filled” and “connecting force.” I believe that one of ordinary skill in the art would readily understand the meaning of these terms, that they are relatively straightforward and that the Court can readily find that Tinnus will likely be able to prove infringement even in the absence of an explicit construction of these terms.



[029] Even with its objections regarding a lack of evidence or claim construction, Telebrands does not argue that this element is absent from the accused product. It is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
[1g] to automatically seal its respective one of the plurality of containers upon detaching the container from its corresponding hollow tube,	Each elastic fastener of the Balloon Bonanza seals its respective container upon the container detaching from the corresponding hollow tube. The <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> website explains, the balloons "automatically seal" when they are detached from the hollow tubes.	<p>Figure N is a screen capture at 0:24 from a video found at <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited August 3, 2015).</p>  <p>Figure O is a screen capture at 0:25 from a video found at <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited August 3, 2015).</p> 

[030] Defendants contend, “Statements to customers about a product are insufficient and irrelevant to proving infringement.” However, the statements included in the claim chart accurately reflect the actual operation of the Balloon Bonanza product. Figures N and O are screen captures from a video found at [www.buyballoonbonanza.com](http://www.buyballoonbonanza.com). This video shows the actual Balloon Bonanza product in use, which would be relevant to the question of whether Tinnus is likely to be able to show infringement. Figure N is a screen capture at 24 seconds into the video and shows that balloons at an instant before they are released from the tubes. Figure O is a screen capture at 25 seconds into the video and shows the balloons an instant after they are released from the tubes. The video and screen capture show that the balloons are automatically

sealed after they are released from the tubes. This video is supported by my own observation of the operation of the Balloon Bonanza product in which I observed that the balloons seal automatically upon detaching from the tubes.

[031] Telebrands does not argue that the Balloon Bonanza balloons do not automatically seal upon detaching from the tubes, and it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
<p>[1h] such that shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from the hollow tubes thereby causing the elastic fasteners to automatically seal the containers,</p>	<p>Shaking the Balloon Bonanza when the balloons are substantially filled with water will overcome the connecting force and cause the balloons to detach from the tubes and the elastic fasteners to seal the balloons. Step 4 of the instructions included with the Balloon Bonanza instructs the user to "Turn off water and give balloons a shake to release." The released balloons are "automatically sealed."</p>	<p>Figure P is a reproduction of step 4 of instructions included in the packaging of the Balloon Bonanza.</p>  <p><b>4</b> Turn off water and give balloons a shake to release.</p> <p>Figure Q is a screen capture at 0:25 from a video found at <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited August 3, 2015).</p> 

[032] Defendants complain that “there is no evidence that shaking the actual BALLOON BONANZA product overcomes any connecting force” and that “the instructions explicitly indicate to ‘give the balloons a shake to release.’” (Resp. 7.) However, it is my understanding that Defendants’ position mischaracterizes the evidence required at this stage. That the instructions for using the Balloon Bonanza product instruct the user to shake the balloons in order to overcome the connecting force and release the balloons means that it is likely Tinnus will be able to show that the Balloon Bonanza does operate in this manner.

[033] Indeed, this is just how the actual Balloon Bonanza product operates. Figure Q is a screen capture at 0:25 from a video found at [www.buyballoonbonanza.com](http://www.buyballoonbonanza.com) and attached to this declaration as Exhibit 5. The video shows the actual Balloon Bonanza product in use and shows that the user shakes the housing, which in turn shakes the hollow tubes, as recited by this claim element, and the balloons as described by the Balloon Bonanza instructions. This operation is also supported by my own observation of the operation of the Balloon Bonanza product in which I observed that shaking the apparatus, including the hollow tubes, when the balloons are substantially filled overcomes the connecting force and causes the containers to detach from the hollow tubes, which causes the elastic fasteners to automatically seal the containers as discussed with respect to element 1g.

[034] Telebrands does not argue that the Balloon Bonanza product does not operate in accordance with this claim element, and it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.



Claim element of '066 patent:	Infringement by Telebrands' Balloon Bonanza product	Illustrative figures showing the Balloon Bonanza product
[1i] wherein the apparatus is configured to fill the containers substantially simultaneously with a fluid.	The Balloon Bonanza fills the containers substantially simultaneously. The <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> website states that the Balloon Bonanza "lets you fill 40 balloons at one time."	Figure R is a screen capture at 0:24 from a video found at <a href="http://www.buyballoonbonanza.com">www.buyballoonbonanza.com</a> (last visited August 3, 2015). <div data-bbox="889 411 1432 709" data-label="Image"> </div>

[035] Defendants contend, “Statements to customers about a product are insufficient and irrelevant to proving infringement.” However, the statements included in the claim chart accurately reflect the actual operation of the Balloon Bonanza product. As shown in Figure R, which is a screen capture at 25 seconds into the video attached to this declaration as Exhibit 5, the balloons are filled simultaneously. I have also used the Balloon Bonanza and observed this behavior.

[036] Telebrands does not argue that the Balloon Bonanza does not fill the balloons simultaneously, and it is my opinion that the Balloon Bonanza includes the limitations required by this claim element.

#### **B. Dependent Claims 3-4, 7-9 and 14**

[037] Telebrands takes the same approach to the dependent claims that it applies to claim 1. With regard to claims 3, 7, 9 and 14, Telebrands complains variously that Tinnus relied on instructions or animated images to demonstrate infringement or complains about a lack of definition for particular terms. Again, at this stage of the proceeding, the materials cited and explanations provided by Tinnus show that it will likely be able to prove that the Balloon



Bonanza product infringes the asserted claims. In fact, Telebrands fails to address dependent claims 4 and 8 at all and makes no assertion whatsoever that the Balloon Bonanza does not infringe any of the asserted dependent claims. Accordingly, for at least the reasons presented in Tinnus's previously filed claim chart, it is my opinion that the Balloon Bonanza includes each limitation of dependent claims 3-4, 7-9 and 14.

## **VII. DEFENDANTS HAVE NOT RAISED A SUBSTANTIAL QUESTION OF VALIDITY**

[038] It is my understanding that to prevent a preliminary injunction from issuing, the Defendants must raise a "substantial question" regarding validity. I am also informed that if Defendants do not rely on any prior art or issue other than that which was considered by the USPTO examiner, Defendants have the added burden of overcoming the deference that is due to a qualified government agency presumed to have properly done its job. In the present case, the Defendants have not raised any substantial question regarding validity, and each issue raised by the Defendants responsive brief and Post Grant Review Petition were previously addressed by the examiner.

### **A. The Asserted Claims Are Not Indefinite**

#### **1. The term "*substantially filled*" is not indefinite**

[039] Defendants contend that the term "substantially filled" is indefinite. (Resp. 10.) However, as discussed below, this term is not indefinite, but rather conveys to one of skill in the art the scope of the invention with reasonable certainty.

[040] On April 7, 2015, the patent examiner issued a Notice of Allowance during prosecution of the '066 Patent Application. (File History 153-54.) The Notice of Allowance included an examiner's amendment. It is my understanding that in an examiner's amendment, the patent examiner, rather than the applicant, may make changes to the claims of a patent

application in order to put otherwise allowable claims in patentable condition. In the April 7, 2015 Notice of Allowance, the examiner made a number of changes to claim 1 of the '066 patent, including adding the following underlined language:

a plurality of elastic fasteners, each elastic fastener clamping a respective one of the plurality of containers to a corresponding hollow tube, and each elastic fastener configured to provide a connecting force that is not less than a weight of one of the containers when substantially filled with water, and to automatically seal its respective one of the plurality of containers upon detaching the container from its corresponding hollow tube, such that shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from the hollow tubes thereby causing the elastic fasteners to automatically seal the containers.

[041] The patent examiner clearly determined that the language he added, including the terms “substantially filled,” informed those skilled in the art about the scope of the invention with reasonable certainty. It is also my opinion that the patent examiner’s added language is not indefinite. When read in light of the claims, specification and file history, the term “substantially filled” conveys an accurate scope of the invention to one of ordinary skill in the art.

[042] As the '066 patent specification explains, the claimed invention is capable of being used to fill various containers. (*E.g.*, '066 patent, col. 3:19-40.) One of ordinary skill would understand that each of these different containers could be filled with a different volume of fluid depending on the size, shape and characteristics of the container. However, it would be silly to suggest that the person of skill would not know when the particular container was substantially full.

[043] For example, Figure 2 of the '066 patent shows a container (18) that a person of skill would recognize as a balloon. The written description explains, “In one example embodiment, containers 18 may comprise inflatable balloons that may be filled with fluids such as water, air or helium.” (*Id.* at col. 3:19-21.) The description further explains, “When

containers 18 have reached a desired size and/or they are filled with the desired volume of fluid, they may be removed from tubes 16.” (*Id.* at col. col. 4:60-62.) A person having experience designing water balloons and filling devices for such balloons, or even a person merely having general experience with water balloons, would understand when such balloons are substantially filled.

[044] Indeed, Telebrands itself uses similar language to describe various alleged prior art references. “*After the compartment is filled with a desired amount of fluid*, the balloon is detached and fluid pressure on the closure member causes it to automatically seal within the compartment in the balloon.” (PGR Pet. 31 (describing U.S. Patent Application Publication No. 2013/0118640 to Saggio) (emphasis added).) “The check valve ball cooperates with the elastic band such that *when the balloon is filled with water* and removed from the hollow tube, the seating shoulder pushes against the check valve ball to retain the check valve ball in a position that automatically seals the fluid passageway of the balloon.” (PGR Pet. 31 (describing WIPO Publication No. WO 2015/027187 to Harter) (emphasis added).) This language does not make Telebrands Post Grant Review Petition unreasonably ambiguous, and similar language does not mean that one of ordinary skill in the art would not be able to ascertain the scope of the asserted claims with reasonable certainty. One of ordinary skill in the art would understand the meaning of “substantially full.” Accordingly, it is my opinion that the term “substantially filled” is not indefinite.

**2. The term “*connecting force*” is not indefinite and is enabled**

[045] Defendants contend that the term “connecting force” is indefinite “because it is depending on the indefinite term ‘substantially filled.’” (Resp. 10.) However, as discussed above, “substantially filled” is not indefinite.

[046] In addition, Defendants argue, “[I]f the ‘connecting force’ is not less than the weight of the container, the container will never detach from the tube.” This is a confused reading of the claim language and specification that does not make practical or logical sense. One of ordinary skill in the art would understand that the connective force is the force that opposes the weight of the container.

[047] As explained in the claim, the connecting force is not less than a weight of one of the containers when substantially filled with water. A person with ordinary skill in the art would know that “not less” would mean “equal to” as the connecting force cannot be greater than the weight. In general terms, the elastic fastener would hold the neck of the balloon against the outer wall of the tube that will result in a connecting force that will equal the weight of the balloon up until the point when balloon is substantially filled, as described above. Once the balloon is substantially filled, the tubes are shaken thereby applying an additional force in excess of the weight of the filled balloon. This additional force overcomes the connecting force and the balloons are released. The ’066 patent specification describes exactly this:

In another example embodiment, the connecting force holding filled containers 18 to tubes 16 may be overcome by an upward acceleration on tubes 16, for example, when they are shaken. Thus, filled containers 18 may be detached by shaking housing 12 (or tubes 16) sufficiently vigorously to cause containers 18 to fall off from tubes 16. In some embodiments, the connecting force holding filled container to its corresponding tube is not less than the weight of the filled container; in a specific embodiment, the connecting force holding each container to its corresponding tube is exactly equal to the weight of the filled container. The connecting force may be provided by a combination of constricting forces and friction forces from elastic valves 20.

(’066 patent, col. 3:52-64.) This language conveys to one of ordinary skill a clear understanding of the operation of the invention and the scope of the claims. Accordingly, it is my opinion that the term “connecting force” is not indefinite.

[048] Telebrands also argues that the patent is non-enabling for the term “connecting force.” Telebrands’ contend, “If the true connecting force is not less than a weight of one of the containers, i.e., greater than the weight of the container, the connecting force would cause the container to move upwards on the hollow tube.” (PGR Pet. 25.) However, claim 1 does not require that the connecting force be *greater* than the weight of the container. The language explicitly says that the connecting force is “*not less than* a weight of one of the containers.” Equal is not less than, and as explained above, the connecting force is equal to the weight of the container, and the container stays on the tube until an additional force (shaking) is applied. Accordingly, is my opinion that the ’066 patent is enabling for the term “connecting force.”

**B. The Asserted Claims Are Not Anticipated by the Prior Art**

[049] Defendants contend that the asserted claims are invalid under 35 U.S.C. § 103 for being obvious over five alleged prior art references in various combinations. (Resp. 11.) However, as set forth below, these references do not raise a substantial question regarding the validity of the ’066 patent.

**1. The examiner considered all of the alleged prior art references**

[050] In its Petition for Post Grant Review, Telebrands relies on two primary references: U.S. Patent No. 5,826,803 (“Cooper”) and the ZORBZ Replicator as shown in a YouTube video (<https://www.youtube.com/watch?v=wCajj0KPV7c>). (PRG Pet. 14-15.) These primary references are variously combined with three secondary references: U.S. Patent Application Publication No. 2013/0118640 (“Saggio”), U.S. Patent Application Publication No. 2005/0004430 (“Lee”) and WIPO Publication No. WO 2015/027187 (“Harter”). (*Id.*) Telebrands alleges that the ZORBZ self-sealing water balloons are covered by the Harter

publication.<sup>1</sup> (*Id.* at 32). Each of these references, primary and secondary, were cited and addressed by the examiner.

[051] On November 14, 2014, the examiner issued an Office Action rejecting the pending claims of the '066 patent application. The Office Action was directed to a number of references not relied on by Telebrands (File History 59-73.), but made "particular note" of the Lee reference (*Id.* at 71). The examiner also provided a list of relevant prior art references that he had identified and found relevant. (*Id.* at 73.) The list included the Cooper reference. (*Id.*) The examiner particularly noted that these references were "considered pertinent to applicant's disclosure." (*Id.* at 71.) On April 7, 2015, the examiner provided an additional list of references he had identified and found relevant. (*Id.* at 157-64.) This list included the Saggio reference, and the examiner again indicated that the cited references were "considered pertinent to applicant's disclosure." (*Id.* at 155.) Accordingly, the examiner identified, reviewed, cited and found pertinent each of the Cooper, Saggio and Lee references.

[052] Tinnus submitted the Harter reference to the examiner in an Information Disclosure Statement ("IDS") on March 19, 2015. (File History 134.) On April 7, 2014, the examiner indicated that he had considered the Harter reference. (*Id.* at 211.) Tinnus submitted the ZORZ Replicator video in an IDS on April 21, 2015, and as discussed more fully below, the examiner specifically addressed the irrelevance of the ZORBZ Replicator reference.

[053] Accordingly, each of the five prior art references relied on by Defendants were considered by examiner and overcome during prosecution of the '066 patent.

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<sup>1</sup> The PGR Petition identifies one additional prior art reference, U.S. Patent No. 8,479,776 ("Berardi"), but only in relation to dependent claims 11-13, which are not currently asserted in this litigation.

**2. Two of the five references are not prior art**

[054] The '066 patent claims priority to two provisional patent applications, Nos. 61/937083 (filed February 7, 2014) (Exhibit 3) and 61/942193 (file February 20, 2014) (Exhibit 4). These provisional applications disclose all the elements of the asserted claims

[055] In its PGR Petition, Telebrands contends that the provisional applications do not support the asserted claims. In particular, Telebrands argues that the provisional applications do not disclose the claim limitation that the hollow tubes extending from the housing to the balloons are “flexible tubes.” (PGR Pet. 12-13.) However, Telebrands argument does not raise a substantial question regarding the priority date of the '066 patent for the reasons discussed below.

[056] First, during prosecution of the '066 patent, the examiner explicitly stated that the provisional applications do support this “flexible tubes” claim limitation. The examiner, not Tinnus, added the limitation that the tubes be “flexible” as part of an Examiner’s Amendment that accompanied a Notice of Allowance on April 7, 2015. (File History 153-54 (attached as Exhibit 7).) Following the Notice of Allowance, Tinnus submitted two YouTube videos of the Zorbz Replicator to the examiner, videos that Telebrands now says make the claimed invention obvious. (File History 222-23; PGR Pet. 15, Grounds 6-7.) The examiner reviewed the videos and explicitly determined:

The IDS of April 21, 2015 [disclosing the ZORBZ video] has been considered. ***The allowed claims have support in the provisional application of February 7, 2014***, and neither the Examiner nor STIC could establish a publication date for the youtube videos which would predate the provisional application. As such, the information submitted does not change the earlier determination of allowability.

(File History 237 (emphasis added).) In view of the examiner's explicit determination, Telebrands cannot legitimately argue that the asserted claims do not have support in the provisional applications.

[057] In addition, one of ordinary skill in the art would understand from the patent's written description that the tubes could be flexible. Telebrands contends that "[o]ne skilled in the art would not understand the February 7, 2014 Provisional to teach that the tubes are flexible" because "the February 7, 2014 and February 20, 2014 Provisionals explicitly disclose that the tubes are made of 'relatively rigid materials like metal, hard plastic, etc.'" (PGR Pet. 15; quoting Provisional Apps. at 5.) Whether intentionally or unintentionally, Telebrands has taken this language out of context and, therefore, misinterpreted its meaning.

[058] The provisional application paragraph in question reads:

The inflatable containers may be made of elastic materials, like rubber, silicone, etc. The housing and *tubes may be made of relatively rigid materials*, like metal, hard plastic, etc. In a general sense, material selection may be driven by cost, material compatibility (e.g., stainless steel used with corrosive liquids, etc.), safety, hygiene, and other particular needs depending on the specific application. *Virtually any suitable material may be used for the various components* of the system within the broad scope of the embodiments.

(E.g. Feb. 7 Prov. App. 5 (emphasis added).) As can be seen from the context of the language cited by Telebrands, there are several important discrepancies with Telebrands' interpretation.

[059] First, the provisional applications say that the tubes *may* be made of "relatively rigid" material, not that they are or must be made of such material as Telebrands suggests. One of ordinary skill in the art would certainly understand from this language that the tubes may also be made from relatively flexible material.



[060] In addition, the provisional application does not say that the tubes are rigid in some absolute sense, merely that they are “relatively rigid” compared to the more flexible inflatable containers. One of ordinary skill would understand from this description that the tubes could be more rigid than the very flexible rubber balloon containers contemplated by the provisional applications and still be themselves flexible. Finally, the paragraph in question explicitly states that the components may be made of “virtually any suitable material.” One of ordinary skill would clearly recognize that such suitable materials may include a flexible tube material.

[061] Further, one of ordinary skill in the art would understand from the provisional application drawings that the tubes could be flexible. Figure 1 of the February 7, 2014 provisional application is reproduced below:

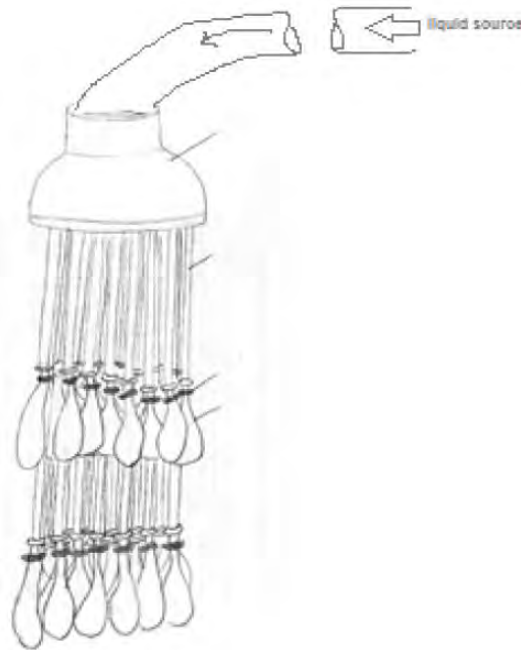


FIGURE 1

(Feb. 7 Prov. at 2.) The written description says that the containers shown in this figure can be “water balloons that may be filled with water.” One of ordinary skill would understand from this

illustration that the tubes could be flexible in order to bend and accommodate the changing size of the balloons as they filled. If these tubes were not flexible, the balloons would have no room to expand, and the device would not provide its intended function.

[062] The written description of the '066 patent discusses possible configuration of the tubes:

In some embodiments, hollow tubes 16 may be made of a rigid material (e.g., steel, glass); in other embodiments, tubes 16 may be made of a flexible material (e.g., thin plastic). In some embodiments, tubes 16 may be thick, short and rigid; in other embodiments, tubes 16 may be slender, long and flexible. Thus, hollow tubes 16 may be flexible, semi-rigid, or rigid, based on its material of construction, design, or a combination thereof.

('066 patent, col. 4:11-17.) Telebrands tries to use this section of the '066 patent to limit the provisional applications' disclosure to either "rigid" or "semi-rigid," but not "flexible" materials. (PGR Pet. 13.) This is again inconsistent with the understanding this paragraph would convey to one of ordinary skill in the art. The language of the '066 patent is consistent with the language of the provisional applications in conveying to the person of skill that the tubes may be made from a wide variety of materials across a broad flexible/rigid range. The tubes shown in Figure 1 of the provisional applications above are more akin to the "slender, long and flexible" tubes described in the '066 patent than they are to the "thick, short and rigid" tubes also described.

[063] At a basic level, Telebrands argument relies on a fallacy that materials are either flexible or rigid. As would be understood by one of ordinary skill, real materials are neither absolutely rigid nor absolutely flexible, but fall along some range. The hollow tubes of the '066 patent are flexible because they bend during normal operation of the apparatus, and the provisional applications disclose tubes that would bend during use.

[064] As discussed above, a person having ordinary skill in the art would unquestionably understand from the provisional application that the hollow tubes could be

flexible. Accordingly, it is my opinion that, as stated by the examiner, the asserted claims of the '066 patent are entitled to a priority date of February 7, 2014, and Telebrands has not raised a substantial question regarding this priority.

**3. One of ordinary skill in the art would not find the asserted claims obvious in view of the prior art**

[065] In its petition for Post Grant Review, Telebrands offers two primary arguments why independent claim 1 of the '066 patent is obvious over the prior art: (1) claim 1 is obvious over Cooper in view of Saggio or in view of Saggio and Lee (Grounds 2 and 4 of the PGR Petition); and (2) claim 1 is obvious over the ZORBZ Replicator in view of Harter, Saggio or Lee (Ground 6).<sup>2</sup> As discussed above, the ZORBZ Replicator is not prior art to the '066 patent. The remaining references do not raise a substantial question regarding the validity of the asserted claims.

[066] I have been informed that a patent claim is invalid for obviousness only if each and every element of the claimed invention is found in a combination of prior art references and the differences between the claimed invention and the prior art are such that the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time of the invention. In the present case, there are significant elements of independent claim 1 that are not found in the prior art. Because these elements are not found in the prior art and the subject matter as a whole would not have been obvious to one of ordinary skill in the art, Telebrands has not raised a substantial question about the validity of the asserted claims of the '066 patent.

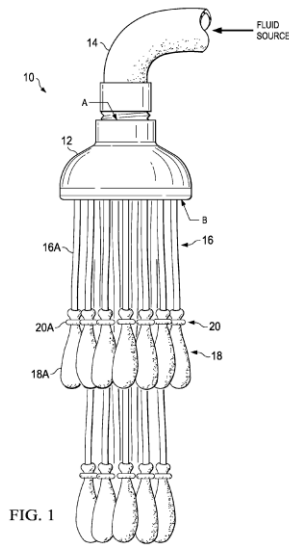
[067] *Cooper in view Saggio* – Cooper teaches a garden sprinkler with posable tubes to direct one or more streams of water in different directions. These tubes contain a ductile wire

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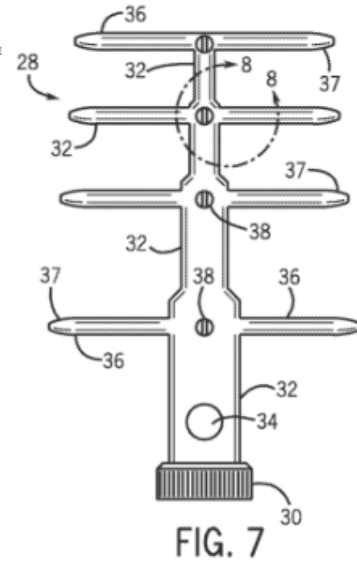
<sup>2</sup> The other grounds of the PGR Petition are: Ground 1 relating to indefiniteness as addressed elsewhere in my Declaration; Grounds 3, 5 and 8 relating only to non-asserted dependent claims 11-13; and Ground 7 relating only to dependent claims 7 and 9.

within them. Saggio teaches a tie-less water balloon with a self-closing internal mechanism and an assembly for filling said balloons. There is nothing added by combining technology of Cooper with technology of Saggio other than being able to pose the self-closing balloons in desired locations. It would be not be obvious for one of ordinary skill in the art to produce the apparatus of claim 1 of the '066 patent from the teachings of Cooper and Saggio.

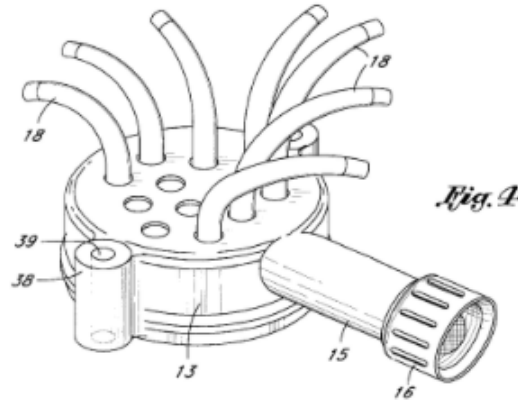
[068] Among other reasons, these references do not teach “shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from hollow tubes.” There is nothing about posable tubes that would inspire this shake to release process. If anything, the configuration of the prior art products would make shaking less likely to be effective. Saggio shows the balloon connection pointing outward at right angles and the posable tubes of Cooper would make it more difficult for balloons to release because they may be pointing in directions other than downward. In contrast, the structure of the claimed invention, including for example the limitation that of a “plurality of holes extending through a common face of the housing,” is specifically adapted to accommodate the claimed shaking. This difference is illustrated by comparing the configuration of the claimed invention with those of Saggio and Cooper as reproduced below.



**'066 Patent**



**Saggio**



**Cooper**

[069] In its PGR Petition, Telebrands accuses Tinnus of trying to “claim Newton’s Second Law of physics” and contends that “it was well-known to those skilled in the art prior to the effective filing date of the ‘066 Patent that one can change the effective value of the gravitational weight of an object by accelerating the object.” (PGR Pet. 48-49.) However, it is my understanding that a claim will only be obvious if some combination of the prior art shows each of the elements recited in the claim, and the fact remains that Telebrands has not pointed to a single instance in any prior art that discloses “shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from hollow tubes.”

[070] *Cooper in view of Saggio and Lee* – The addition of Lee adds nothing to the deficiencies of Cooper and Saggio. Lee teaches an endoscopic balloon insertion device for treatment of obesity. Lee claims a balloon with an elastic band that is forced off of the endoscope with a guide tube. Although this patent presents the concept of an elastic band to seal a balloon, it would be non-obvious for one of ordinary skill in the art to produce claim 1 of the

'066 patent regarding "shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from hollow tubes." The technology presented by Lee would not inspire the shake-to-release process. Endoscopic surgical procedures would likely not involve shaking of any mechanism, which could be very harmful to the patient's interests. In contrast, the process presented by Lee uses a controlled tube to guide the balloon off of the mechanism.

**4. Objective indicia indicate that the claimed invention is not obvious**

[071] In addition to the fact that one of ordinary skill in the art would not find the asserted claims obvious over the prior art. There is compelling and diverse objective evidence that the claimed invention is not obvious, including powerful evidence of the invention's commercial success; praise by others; long felt but unresolved needs; and copying of the invention by competitors.

[072] **Commercial Success** – The Bunch O Balloons was first presented to the general public through a crowd-funding website Kickstarter. Kickstarter, Bunch O Balloons: 100 Water Balloons in Less Than 1 Minute, <https://www.kickstarter.com/projects/bunchoballoons/bunch-o-balloons-100-water-balloons-in-less-than-1> (last visited August 4, 2015). The campaign was funded in 12 hours and, at the completion of the 30 day campaign, Bunch O Balloons raised \$929,160 with 21,455 backers making it overfunded 92 times. Kickstarter, Bunch O Balloons, The Kickstarter Chapter is Complete, <https://www.kickstarter.com/projects/bunchoballoons/bunch-o-balloons-100-water-balloons-in-less-than-1/posts/1223980> (last visited August 4, 2015). According to Kickstarter website only 37.28% of all Kickstarter campaigns are successful in reaching their goals (33.67% in Design categories). Kickstarter, Stats, <https://www.kickstarter.com/help/stats> (last visited August 4, 2015). Kickstarter's website states

that the purpose of the service is “to bring new things to life.” Kickstarter, <https://www.kickstarter.com/learn> (last visited August 4, 2015). Obvious product ideas are not funded on Kickstarter, and obvious product ideas are not overfunded by two orders of magnitude in a matter of hours.

[073] In addition to this initial commercial success of the Kickstarter campaign, Plaintiff ZURU, a Hong Kong based toy company, signed a global exclusive deal with Tinnus to obtain an exclusive license to the patent. ZURU’s interest in licensing the patent demonstrates that the invention is not an obvious idea.

[074] ***Praise by Others*** – Bunch O Balloons was featured on Yahoo, Good Morning America, BuzzFeed, Time and ABC News. During the first weeks on Kickstarter, the product concept was declared non-obvious by multiple professional and well-respected news sources such as Time Magazine, ABC News, and Huffington Post. An article written on July 23, 2014 in the Huffington Post declares the inventor a “genius” multiple times and the product “amazing.” Rebecca Hiscott, *Genius Dad Figures Out Way To Fill 37 Water Balloons In 20 Seconds*, Huffington Post, July 23, 2014, [http://www.huffingtonpost.com/2014/07/23/bunch-o-balloons\\_n\\_5613144.html](http://www.huffingtonpost.com/2014/07/23/bunch-o-balloons_n_5613144.html). On July 24th 2014 ABS News declares Bunch O Balloons a “Genius Water Balloon Invention.” Katie Kindelan, *Father-of-Eight Creates Genius Water Balloon Invention*, ABC News, July 24, 2014, <http://abcnews.go.com/Lifestyle/father-creates-genius-water-balloon-invention/story?id=24698486>.

[075] ***Long Felt but Unresolved Needs*** – On July 24th 2014 Time Magazine calls Bunch O Balloons a “contraption that solves a very real problem about water balloons.” Samantha Grossman, *Hero Builds a Genius Machine That Can Fill 100 Water Balloons in a*

*Minute*, Time, July 24, 2014, <http://time.com/3029563/hero-builds-a-genius-machine-that-can-fill-100-water-balloons-in-a-minute>.

[076] **Copying** – The fact that Telebrands, itself rushed to market with an exact duplicate of the Bunch O Balloons product is further evidence of the claimed invention's nonobviousness.

[077] The novel concept and near instant success of the patented Bunch O Balloons product was a significant event in the toy industry. I, myself, was aware of the Bunch O Balloons and its Kickstarter campaign for over a year before I was contacted by counsel for Plaintiffs to act as an expert in this case.

#### **VIII. MATERIALS CONSIDERED**

[078] In connection with preparing this declaration, I have reviewed the materials listed in Exhibit 6.

#### **IX. COMPENSATION**

[079] I am being compensated for the work done in connection with this matter at a rate of \$350 per hour. I have received no additional compensation for my work on this matter, and my compensation is in no way contingent on the outcome of this matter.

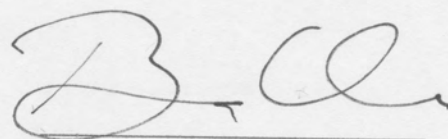
#### **X. PUBLICATIONS AND PREVIOUS TESTIMONY**

[080] My publications are listed in my CV, which is attached as Exhibit 2 to this report.

#### **XI. CONCLUSION**

[001] For the reasons stated above, it is my opinion that the Telebrands Balloon Bonanza product infringes at least claims 1, 3-4, 7-9 and 14 of the '066 patent and that Telebrands does not raise a substantial question regarding the patentability of the '066 patent.



A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a cursive 'M' and 'K'.

Barry M. Kudrowitz, Ph.D.

August 6, 2015

Exhibit List

Exhibit 1 – U.S. Patent No. 9,051,066

Exhibit 2 – Curriculum Vitae

Exhibit 3 - Feb. 7 Provisional

Exhibit 4 - Feb. 20 Provisional

Exhibit 5 – Telebrands Corp, Balloon Bonanza Video, <http://www.buyballoonbonanza.com/>

Exhibit 6 – Materials considered

Exhibit 7 – File History of U.S. Patent No. 9,051,066

# EXHIBIT 1

(12) **United States Patent**  
**Malone**

(10) **Patent No.:** **US 9,051,066 B1**  
(45) **Date of Patent:** **Jun. 9, 2015**

(54) **SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS**

(56) **References Cited**

(71) Applicant: **TINNUS ENTERPRISES, LLC**, Plano, TX (US)

(72) Inventor: **Joshua Malone**, Plano, TX (US)

(73) Assignee: **TINNUS ENTERPRISES, LLC**, Plano, TX (US)

(\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

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1,350,935	A *	8/1920	Frank Pastor	446/222
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1,484,575	A *	2/1924	Shulin	239/602
1,703,463	A *	2/1929	Weigel	446/186
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2,161,274	A *	6/1939	Behrend	446/224
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(Continued)

(21) Appl. No.: **14/492,487**

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(22) Filed: **Sep. 22, 2014**

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GB	294273		7/1928

(Continued)

**Related U.S. Application Data**

**OTHER PUBLICATIONS**

(60) Provisional application No. 61/942,193, filed on Feb. 20, 2014, provisional application No. 61/937,083, filed on Feb. 7, 2014.

Balloon Powered Boat, May 17, 2011, <http://alittlelearningfortwo.blogspot.com/>.\*

(Continued)

(51) **Int. Cl.**  
**B65B 3/04** (2006.01)  
**B65B 3/28** (2006.01)  
**A63H 27/10** (2006.01)

*Primary Examiner* — Kevin P Shaver  
*Assistant Examiner* — Andrew Stclair

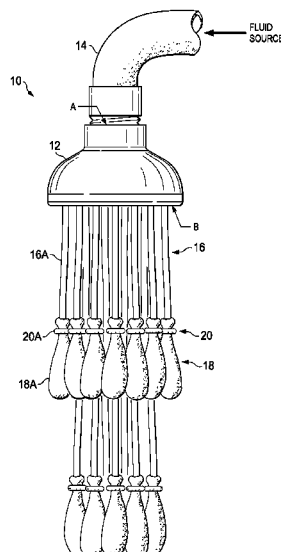
(52) **U.S. Cl.**  
CPC ... **B65B 3/04** (2013.01); **B65B 3/28** (2013.01);  
**A63H 2027/1041** (2013.01); **A63H 27/10** (2013.01)

(57) **ABSTRACT**

(58) **Field of Classification Search**  
CPC ..... A63H 27/10; A63H 2027/1041; A63H 2027/105; A63H 2027/1033; B65B 3/04; B65B 3/28  
USPC ..... 141/234–248, 10, 114; 383/3, 71; 446/220–226  
See application file for complete search history.

An example embodiment of an apparatus includes a housing with an opening at a first end and a plurality of holes at a second end, a plurality of hollow tubes attached to the plurality of holes, a plurality of containers removably attached to the hollow tubes, and a plurality of elastic fasteners, each elastic fastener clamping each container to a corresponding hollow tube, such that when the containers are filled with fluid and detached from the corresponding hollow tubes, each elastic fastener seals each container with the fluid inside.

**14 Claims, 6 Drawing Sheets**



**US 9,051,066 B1**

Page 2

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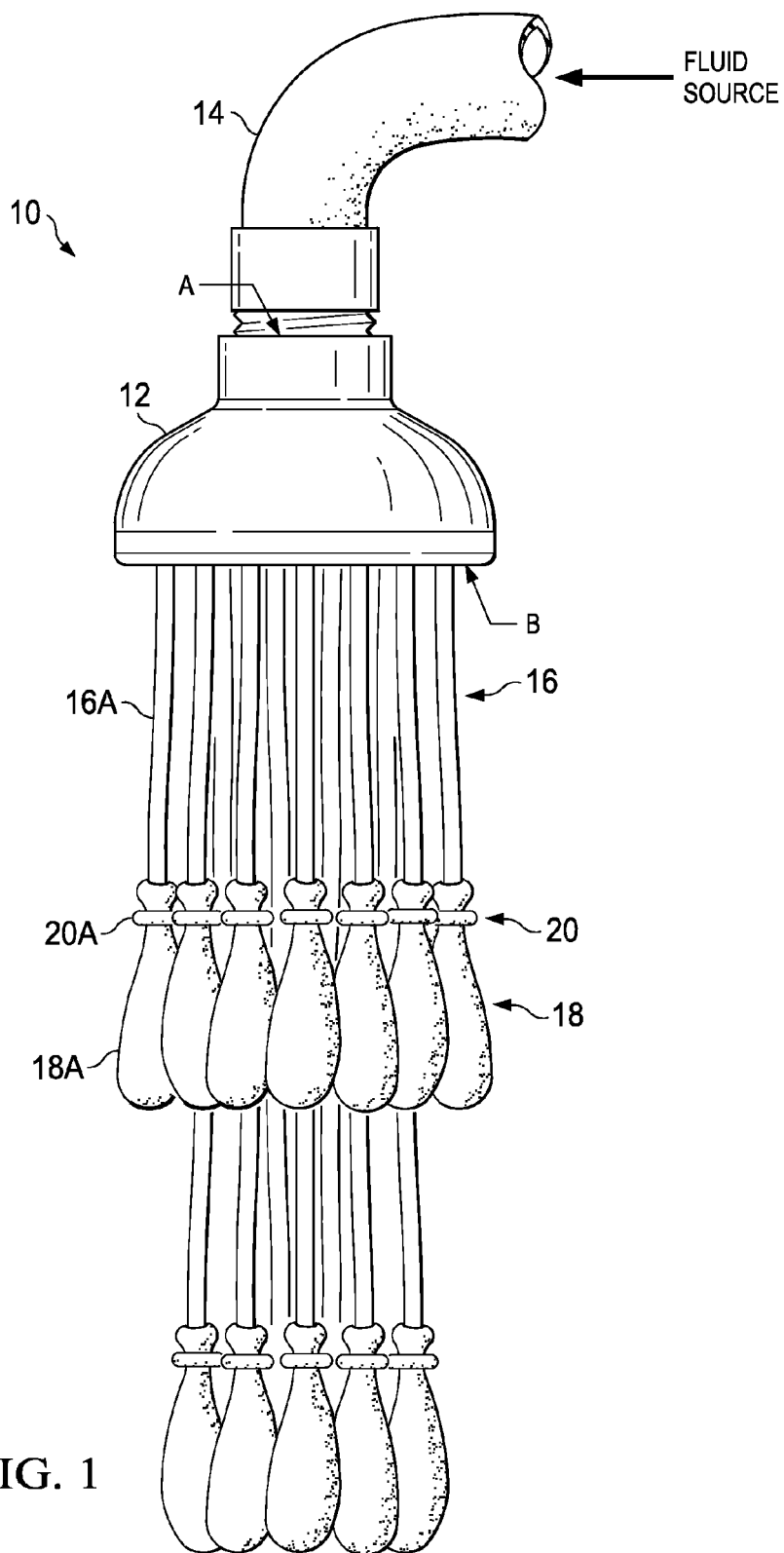
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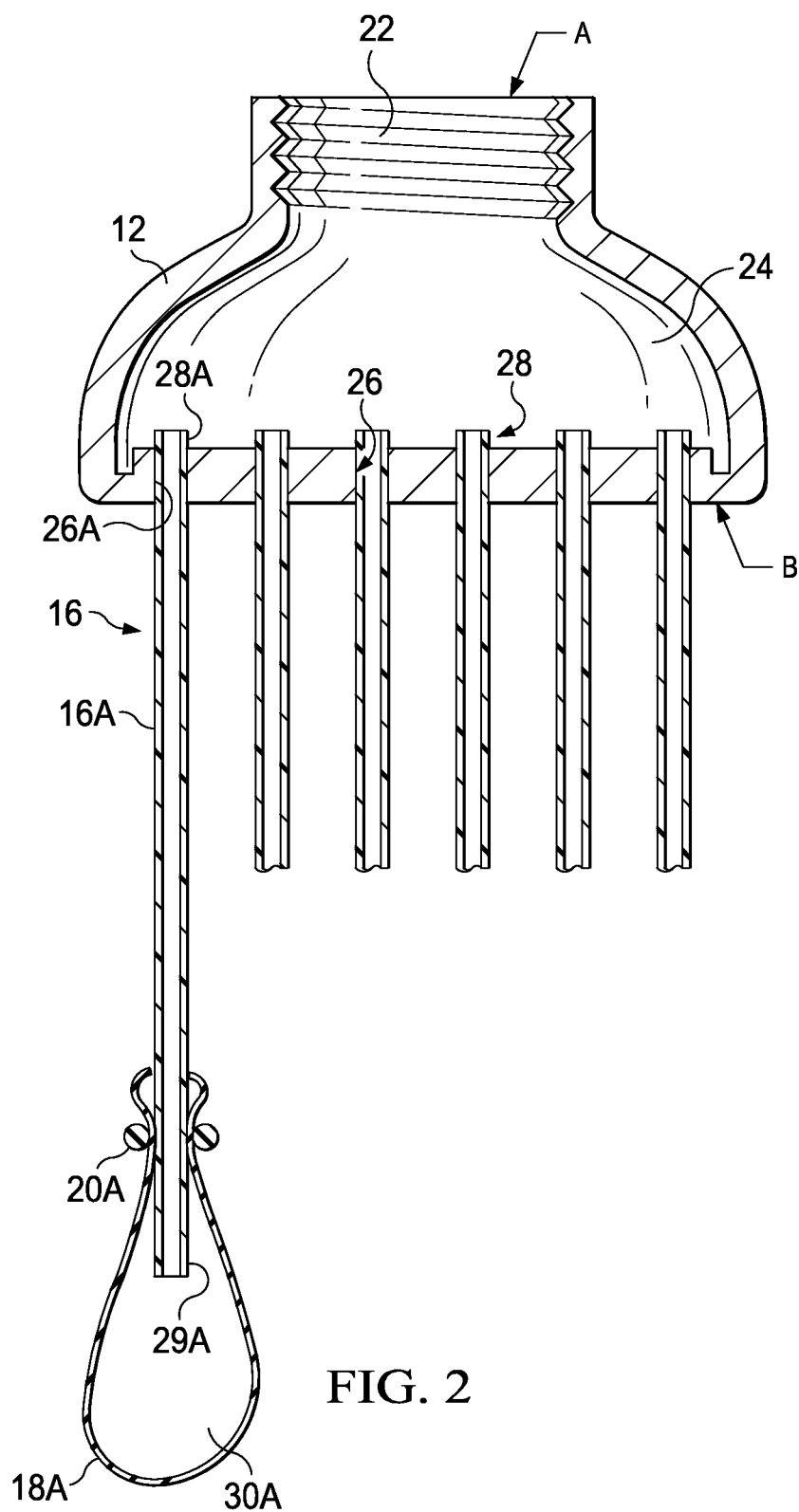


U.S. Patent

Jun. 9, 2015

Sheet 2 of 6

US 9,051,066 B1

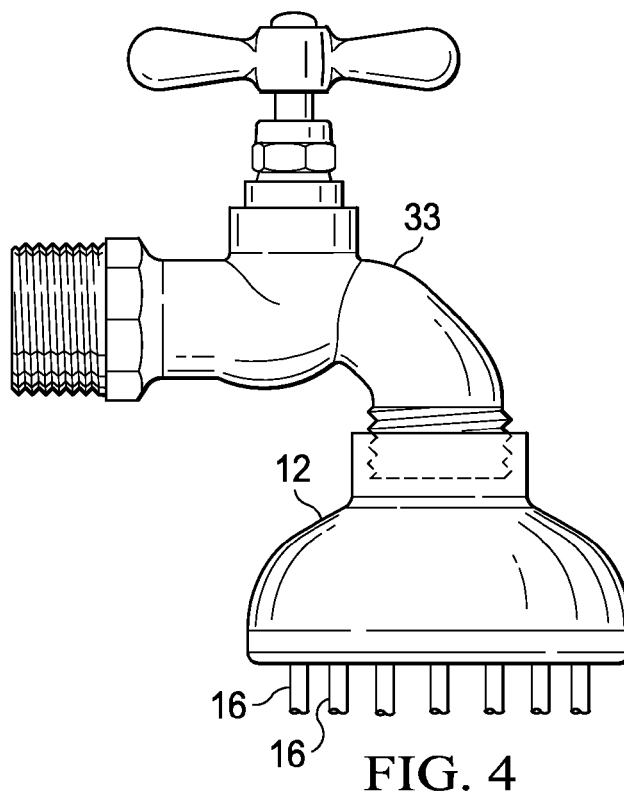
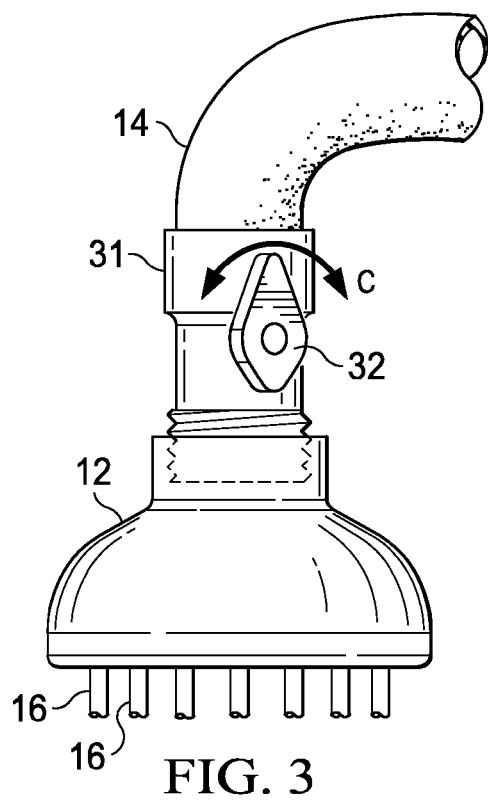


U.S. Patent

Jun. 9, 2015

Sheet 3 of 6

US 9,051,066 B1



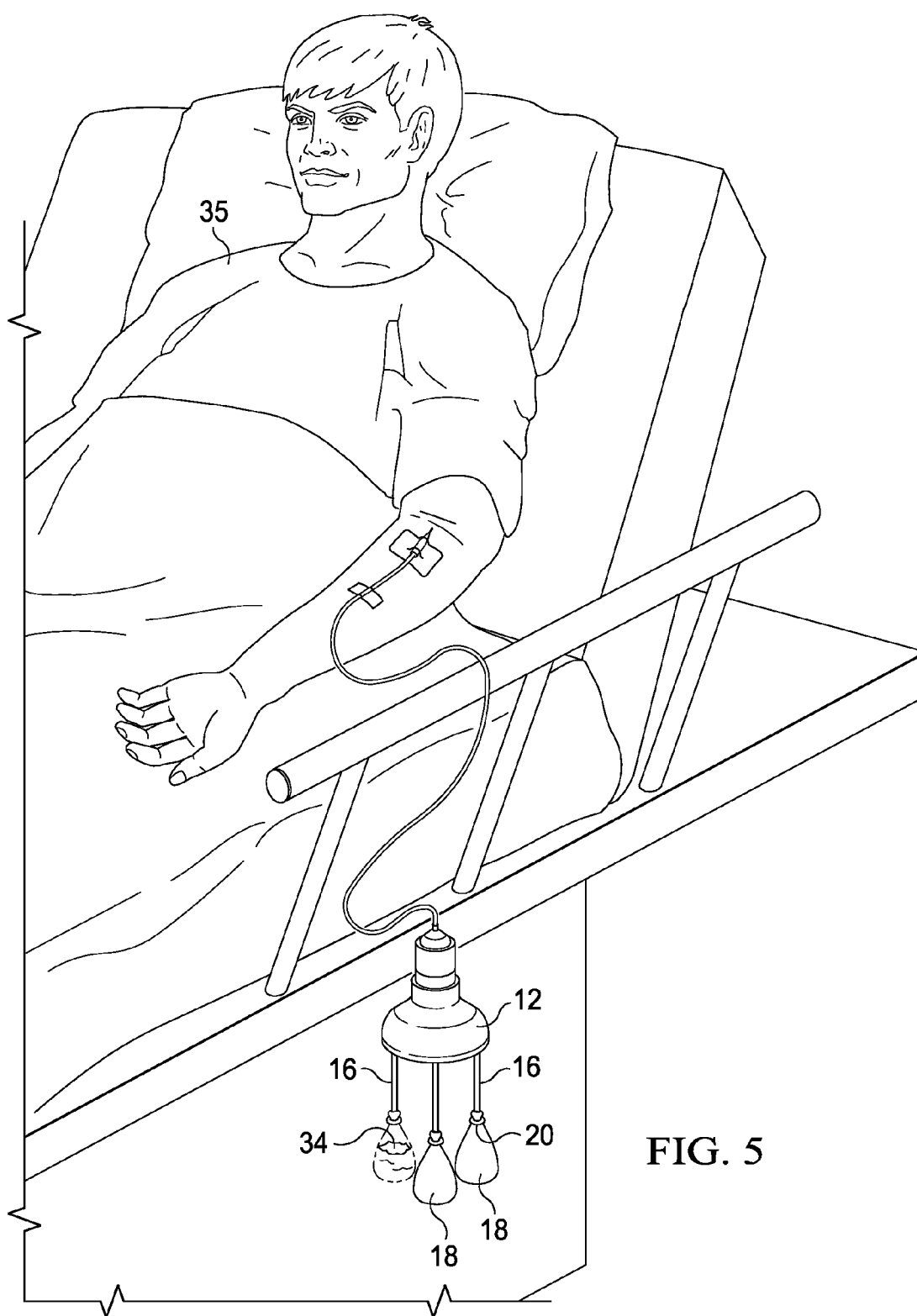


**U.S. Patent**

**Jun. 9, 2015**

**Sheet 4 of 6**

**US 9,051,066 B1**



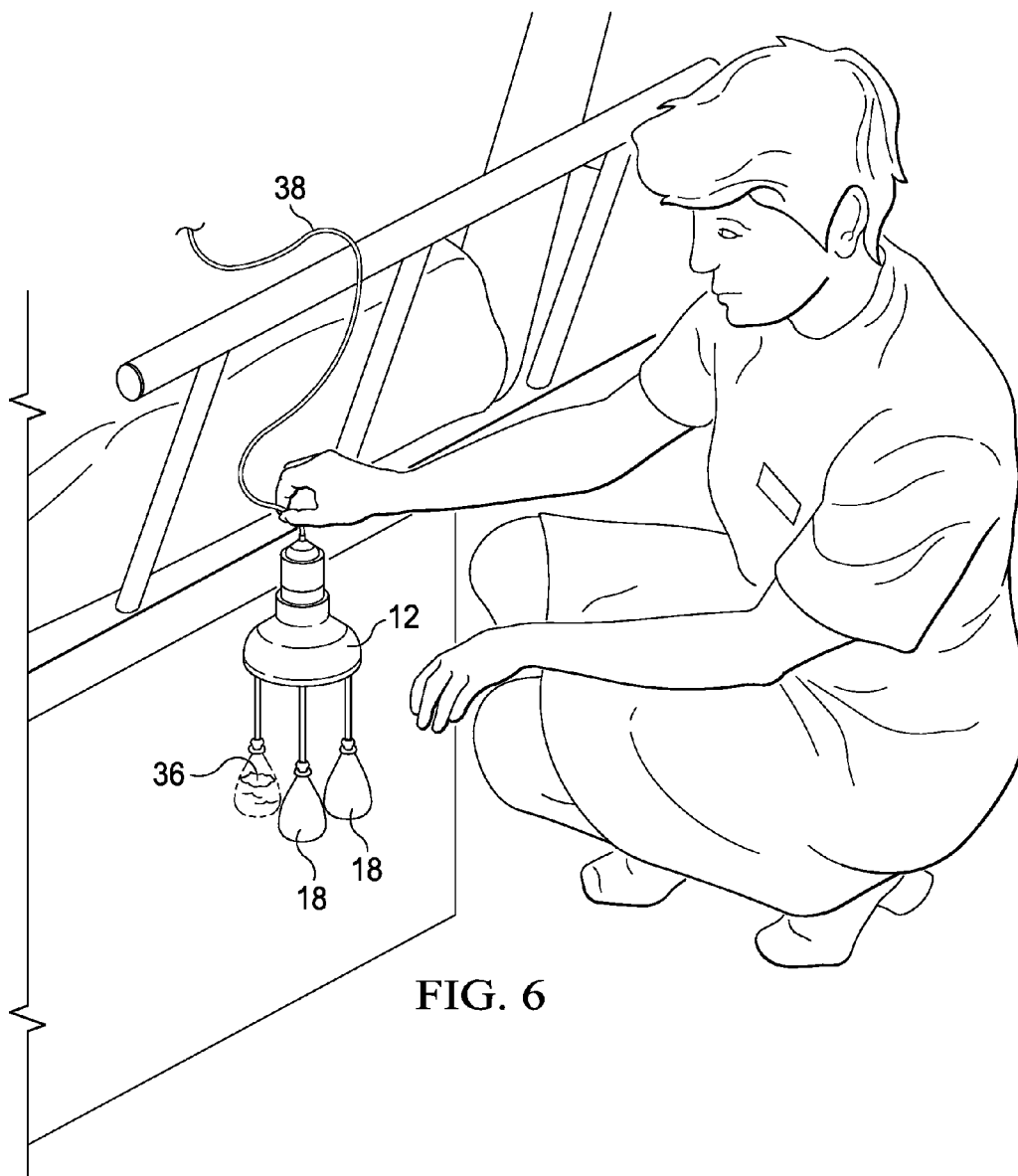
**FIG. 5**

**U.S. Patent**

**Jun. 9, 2015**

**Sheet 5 of 6**

**US 9,051,066 B1**



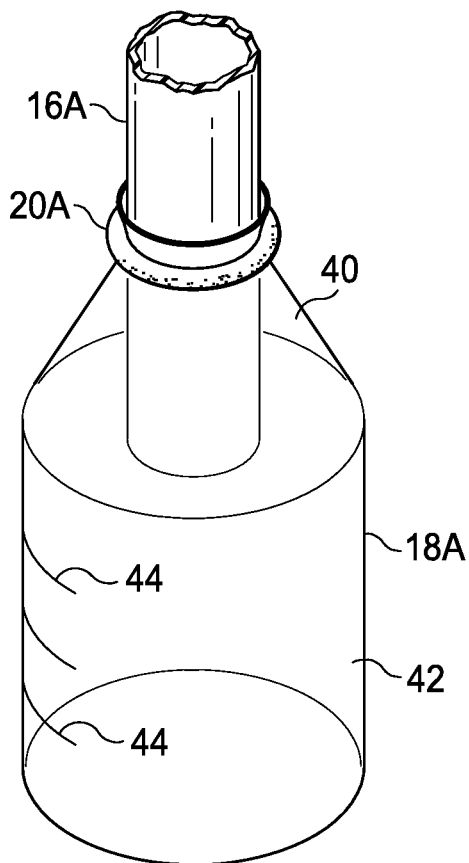


FIG. 7

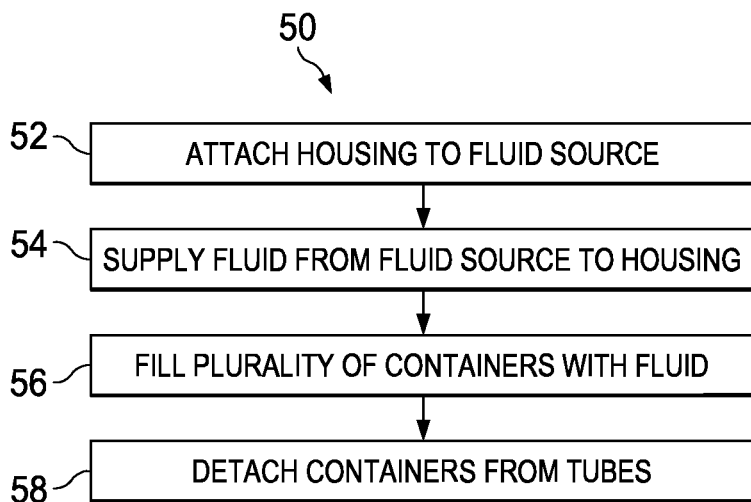


FIG. 8

US 9,051,066 B1

1

## SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

### CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims the benefit of priority under 35 U.S.C. §119(e) to U.S. Provisional Application Ser. No. 61/937,083 entitled "SYSTEM AND METHOD FOR FILLING INFLATABLE CONTAINERS WITH LIQUID" filed Feb. 7, 2014 and to U.S. Provisional Application Ser. No. 61/942,193 entitled "SYSTEM AND METHOD FOR FILLING INFLATABLE CONTAINERS WITH FLUIDS" filed Feb. 20, 2014, which are hereby incorporated by reference in their entireties.

### TECHNICAL FIELD

The present disclosure relates generally to fluid inflatable systems and more particularly, to a system and method for filling containers with fluids.

### BACKGROUND

Inflatable containers such as balloons can be filled with a variety of fluids, such as air, helium, water, medicines, etc. In some cases, a lot of inflatable containers may need to be filled with fluids. For example, balloons used as props in conventions, large parties, etc. may number in the hundreds and may require substantial human effort to fill them all in a timely manner. In another example, water balloons used as kids' toys may need to be filled in large numbers to aid in various games. Various methods may be employed to fill such inflatable containers. For example, an individual may blow up and tie each balloon by hand or use a tank of compressed air or helium to inflate the balloon, which then has to be tied. In another example, an individual may fill water balloons with water by hand one at a time, and then tie the balloons, which can all be quite time-consuming. Moreover, the inflatable containers may be damaged or filled to different volumes.

### BRIEF DESCRIPTION OF THE DRAWINGS

To provide a more complete understanding of the present disclosure and features and advantages thereof, reference is made to the following description, taken in conjunction with the accompanying figures, wherein like reference numerals represent like parts, in which:

FIG. 1 is a simplified perspective view illustrating an example configuration of an embodiment of a system for filling containers with fluids;

FIG. 2 is a simplified diagram illustrating a cross-sectional view of example details of an embodiment of the system;

FIG. 3 is a simplified diagram illustrating other example details of an embodiment of the system;

FIG. 4 is a simplified diagram illustrating yet other example details of an embodiment of the system;

FIG. 5 is a simplified diagram illustrating yet other example details of an embodiment of the system;

FIG. 6 is a simplified diagram illustrating yet other example details of an embodiment of the system;

FIG. 7 is a simplified diagram illustrating yet other example details of an embodiment of the system; and

FIG. 8 is a simplified flow diagram illustrating example operations that may be associated with an embodiment of the system.

2

## DETAILED DESCRIPTION OF EXAMPLE EMBODIMENTS

### Overview

5 An example embodiment of an apparatus includes a housing (e.g., casing, covering, etc. with a cavity inside) with an opening at a first end and a plurality of holes at a second end, a plurality of hollow tubes attached to the plurality of holes, a plurality of containers (e.g., receptacles, vessels, ampules, test-tubes, balloons, etc.) removably attached to the hollow tubes, and a plurality of elastic fasteners, each elastic fastener clamping each container to a corresponding hollow tube, such that when the containers are filled with fluid and detached from the corresponding hollow tubes, each elastic fastener seals each container with the fluid inside.

### Example EMBODIMENTS

It is to be understood that the following disclosure describes several example embodiments for implementing different features, structures, or functions of the system. Example embodiments of components, arrangements, and configurations are described herein to simplify the present disclosure. However, these example embodiments are provided merely as examples and are not intended to limit the scope of the invention.

The present disclosure may repeat reference numerals and/or letters in the various exemplary embodiments and across the Figures provided herein. This repetitions is for the purpose of simplicity and clarity and does not in itself indicate a relationship between the various exemplary embodiments and/or configurations discussed in the various Figures.

FIG. 1 is a simplified diagram illustrating an example embodiment of a system 10 for filling containers with fluids. System 10 includes a housing 12 removably attached to a hose 14 (e.g., tube, pipe, etc.) on a first end A and to a plurality of hollow tubes 16 on a second end B. As used herein, the term "housing" encompasses a hollow space enclosed by a rigid or semi-rigid casing (e.g., covering, skin, sleeve, sheath, etc.). In some embodiments, end A may include a threaded opening configured to mate with corresponding threads on hose 14. In some embodiments, end A may be smaller in circumference or area than end B. Hose 14 may be connected to a fluid source, such as a water tank, gas tank, water supply line, etc. on end A. End B may include a plurality of holes (e.g., configured in an array), configured to fit tubes 16. In some embodiments, tubes 16 may be permanently attached (e.g., welded, brazed, stuck with adhesives, press-fitted, etc.) to housing 12. In other embodiments, tubes 16 may be removably attached (e.g., with threads, pressure, etc.) to housing 12.

A plurality of containers 18 may be clamped (e.g., attached, fastened, held, clinched, secured, etc.) to plurality of tubes 16 using elastic valves 20. As used herein, the term "container" refers to an object that can hold something, such as fluids. The term "valve" refers to an object that regulates, directs, or controls the flow of fluids, by opening, closing, or partially obstructing passageways of fluid flow. In an example embodiment, elastic valves 20 comprise elastic fasteners, such as O-rings. In another example embodiments, elastic valves 20 comprise corrugations, smocking, elastic fibers, etc. fabricated into the necks of containers 18 such that force is required to pull open the necks of containers 18, and removal of the force causes the necks to constrict and close. In yet another example embodiment, elastic valves comprise internal or external plugs affixed to the necks of containers 18, through which tubes 16 may be pushed through to clamp containers 18 thereto.

US 9,051,066 B1

3

Note that each of containers **18** have an opening to facilitate clamping to tubes **16** and a cavity for containing fluid. For example, one end of an example tube **16A** may be fitted through a hole in end B of housing **12**, and the other end of tube **16A** may be inserted into an example container **18A**. An example elastic valve **20A** (e.g., O-ring, comprising a mechanical gasket typically in a toroid shape; elastic ring, such as a rubber-band) of sufficient size to expand and clamp around tube **16A** may be disposed around (e.g., placed over) a neck (e.g., portion just below opening) of container **18A**, clamping and sealing container **18A** to tube **16A**. Thus, elastic valve **20A** may be in an open configuration when container **18A** is attached to tube **16A**; in elastic valve **20A**'s open configuration, the neck of container **18A** is open, allowing container **18A** to fill with fluid. After container **18A** is filled with fluid, it may be removed from tube **16A**, whereupon elastic valve **20A** closes, thereby closing the neck of container **18A** and sealing the fluid inside.

In one example embodiment, containers **18** may comprise inflatable balloons that may be filled with fluids such as water, air or helium. In another example embodiment, containers **18** may comprise flexible (e.g., stretchy, springy, etc.) elastic containers that may be filled with gaseous or liquid medications. As used herein, the term "elastic" is meant to refer to a property of a material that allows the material to resume its normal shape spontaneously after contraction, dilation, or distortion. In an example, an elastic material may be stretched to 200% of its original length, and the material may return to its original length when the stretching force is removed.

In yet another example embodiment, containers **18** may comprise flexible containers that may be filled with body fluids (e.g., urine, blood) for example, to collect multiple samples simultaneously for testing. Virtually any type and kind of fluid may be used within the broad scope of the embodiments. Note that in some embodiments, containers **18** need not be inflatable or flexible in their entireties. For example, a bottom portion of containers **18** may be inelastic (e.g., glass, plastic, metal, etc., of fixed shape and size), and a top portion may be flexible enough to be inserted around tubes **16** and clamped thereon.

When the fluid source is turned on, fluid may flow through housing **12**, tubes **16** and fill containers **18**. In some embodiments, when housing **12** is connected to a stream of liquid, containers **18** may be filled with the liquid. In some embodiments, the fluid may be supplied at high pressure. Virtually any mechanism that facilitates fluid flow through tubes **16** at sufficient pressure to fill containers **18** may be used within the broad scope of the embodiments. After containers **18** have reached a desired size or volume, they may be detached from tubes **16**. In one example embodiment, filled containers **18** may be detached by pulling them away from tubes **16**.

In another example embodiment, the connecting force holding filled containers **18** to tubes **16** may be overcome by an upward acceleration on tubes **16**, for example, when they are shaken. Thus, filled containers **18** may be detached by shaking housing **12** (or tubes **16**) sufficiently vigorously to cause containers **18** to fall off from tubes **16**. In some embodiments, the connecting force holding filled container to its corresponding tube is not less than the weight of the filled container; in a specific embodiment, the connecting force holding each container to its corresponding tube is exactly equal to the weight of the filled container. The connecting force may be provided by a combination of constricting forces and friction forces from elastic valves **20**.

In yet other embodiments, containers **18** may fall off under gravity; for example, when filled containers **18** reach a threshold weight, they slip off tubes **16** due to gravity. The threshold

4

weight may be based upon the tightness of elastic valves **20**, friction between tubes **16** and containers **18**, and force from the weight of containers **18** (among other parameters). In various embodiments, containers **14** may slide off tubes **16** and elastic valves **20** may constrict the necks of containers **18**, sealing them. In some embodiments, containers **18** may be marked with volumetric measurements, and fluid flow may be turned off when the fluid has filled containers **18** to a desired volume.

In some embodiments, hollow tubes **16** may be made of a rigid material (e.g., steel, glass); in other embodiments, tubes **16** may be made of a flexible material (e.g., thin plastic). In some embodiments, tubes **16** may be thick, short and rigid; in other embodiments, tubes **16** may be slender, long and flexible. Thus, hollow tubes **16** may be flexible, semi-rigid, or rigid, based on its material of construction, design, or a combination thereof. Note that tubes **16** may be of different lengths, for example, to prevent crowding and to accommodate a larger number of containers **18** than would be possible if tubes **16** were of the same length. Thus, at least some of hollow tubes **16** may be of different lengths than the others.

Also, tubes **16** may be flexible to enable containers **18** to expand. Thus, as containers **18** fill with fluid and expand, they may push against each other, flexing tubes **16**. The outermost tubes **16** may be flexed more than the innermost tubes **16** (outer and inner being in reference to a center-point of housing **12**, with the inner tubes **16** being closer to the center-point, and the outer tubes **16** being farther from the center-point).

Turning to FIG. 2, FIG. 2 is a simplified cross-sectional view of a portion of an embodiment of system **10**. Housing **12** comprises a threaded opening **22** at end A, an internal cavity **24**, and an array of holes **26** at end B. Internal cavity **24** facilitates distributing the fluid entering at threaded opening **22** to array of holes **26** at end B. In some embodiments, threaded opening **22** may be configured for attaching to a fluid supply hose **14** (e.g., garden hose, plastic tube, etc.). In other embodiments, threaded opening **22** may be attached to corresponding threads in a valve. Array of holes **26** may be configured for connecting first ends **28** of tubes **16** by any suitable means. In some embodiments, first ends **28** of tubes **16** may be connected to corresponding holes **26** by compressing or gluing. In some embodiments, a number of holes **26** in housing **12** and a number of tubes **16** can correspond to a number of containers **18** that are desired to be filled and sealed substantially simultaneously.

To clarify further, only one example tube **16A** is shown in the figure. A first end **28A** of tube **16A** is fitted through a corresponding hole **26A** in housing **12**. A second end **29A** of tube **16A** is inserted into container **18A**. Elastic valve **20A** may be placed around the neck of container **18A** clamping the neck to tube **16A**. An internal volume **30A** of container **18A** may be filled with fluid appropriately.

To fill and seal containers **18**, housing **12** may be attached to a fluid supply tube (e.g., garden hose) and the fluid supply may be turned on. The fluid enters housing **12**, is distributed to holes **26**, travels down tubes **16**, and fills containers **18**. Containers **18** may be filled and may expand substantially simultaneously. When containers **18** have reached a desired size and/or they are filled with the desired volume of fluid, they may be removed from tubes **16**. They can be removed by falling off, by shaking them off, by pulling them off by hand, etc. As each container **18A** is removed from corresponding tube **16A**, respective elastic valve **20A** may constrict and close the neck of container **18A**, sealing it with the fluid inside.

US 9,051,066 B1

5

Turning to FIG. 3, FIG. 3 is a simplified diagram illustrating example details of a valve 31 that may be attached between hose 14 and housing 12 according to an embodiment of system 10. One end of valve 31 may be attached to hose 14 and the other end may be attached to threaded opening 22 of housing 12 (e.g., using threads). A lever 32 may be turned from one side (of valve 31) to another (e.g., as indicated by arrow C) to turn on and turn off fluid flow to housing 12. For example, to turn on the fluid flow, lever 32 may be turned to a first position; lever 32 may be turned to a second position (e.g., different from the first position) to turn off fluid flow.

Turning to FIG. 4, FIG. 4 is a simplified diagram illustrating example details of an embodiment of system 10. Housing 12 may be attached to a spigot 33 (e.g., nozzle, faucet, outlet, etc.) that connects to the fluid source. Spigot 33 may be turned on or turned off to start or stop fluid flow to housing 12.

Turning to FIG. 5, FIG. 5 is a simplified diagram illustrating example details of an application of an embodiment of system 10. Embodiments of system 10 may be used in a variety of applications, such as for collecting numerous blood samples substantially simultaneously. Blood 34 may be drawn from a human (or animal) and blood 34 may collect substantially simultaneously in plurality of containers 18. The substantial simultaneous collection of blood in such manner can ease patient pain, speed up sampling time, and enable taking multiple samples substantially simultaneously without cross-contamination from one container to another or messy transfers between containers.

Turning to FIG. 6, FIG. 6 is a simplified diagram illustrating example details of an application of an embodiment of system 10. Embodiments of system 10 may be used in a variety of applications, such as for collecting numerous urine samples substantially simultaneously. Urine 36 may be drawn from a human (or animal) through a suitable catheter 38, and may collect substantially simultaneously in plurality of containers 18.

Turning to FIG. 7, FIG. 7 is a simplified diagram illustrating example details of an embodiment of system 10. Example container 18A may comprise a flexible portion 40 and an inflexible portion 42. Flexible portion 40 may be clamped on to example tube 16A using example elastic valve 20A. In some embodiments, container 18A may comprise volumetric measurement markings 44. When fluid fills container 18A to a desired volume, for example, as indicated by volumetric measurement marking 44, container 18A may be detached from tube 16A, whereupon elastic valve 20A may close container 18A, sealing the fluid inside.

Turning to FIG. 8, FIG. 8 is a simplified flow diagram 50 illustrating example operations that may be associated with an embodiment of system 10. At 52, housing 12 may be attached to a fluid source (e.g., through hose 14, spigot 33, etc.) At 54, fluid may be supplied from the fluid source to housing 12. At 56, plurality of containers 18 may be filled with the fluid. At 58, containers 18 may be detached from corresponding tubes 16.

Note that in this Specification, references to various features (e.g., elements, structures, modules, components, steps, operations, characteristics, etc.) included in "one embodiment", "example embodiment", "an embodiment", "another embodiment", "some embodiments", "various embodiments", "other embodiments", "alternative embodiment", and the like are intended to mean that any such features are included in one or more embodiments of the present disclosure, but may or may not necessarily be combined in the same embodiments.

The elements described herein may be made of any suitable materials, including metal (e.g., stainless steel, copper, brass,

6

bronze, aluminum, etc.), plastic, glass, elastomers, or any suitable combination thereof. Each element may also be made of a combination of different materials (e.g., housing and tubes may be made of plastic and containers may be made of elastic rubber; housing and tubes may be made of stainless steel and containers may be made of a combination of glass and flexible plastic; etc.). Any suitable material or combination of materials may be used for the components described herein without departing from the broad scope of the present disclosure.

In addition, the shapes shown and illustrated in the various FIGURES are for example purposes only. Various other shapes may be used herein without changing the scope of the present disclosure. For example, housing 12 may be conical, cylindrical, pyramidal, etc., without departing from the broad scope of the embodiments. Likewise, tubes 16 may be rigid, or flexible 18 without departing from the scope of the broad embodiments.

While the disclosure references several particular embodiments, those skilled in the art will be able to make various modifications to the described embodiments without departing from the true spirit and scope of the disclosure. It is intended that all elements or steps which are insubstantially different from those recited in the claims but perform substantially the same functions, respectively, in substantially the same way to achieve the same result as what is claimed are within the scope of the disclosure.

What is claimed is:

1. An apparatus comprising:

a housing comprising an opening at a first end, and a plurality of holes extending through a common face of the housing at a second end;

a plurality of flexible hollow tubes, each hollow tube attached to the housing at a respective one of the holes at the second end of the housing;

a plurality of containers, each container removably attached to a respective one of the hollow tubes; and

a plurality of elastic fasteners, each elastic fastener clamping a respective one of the plurality of containers to a corresponding hollow tube, and each elastic fastener configured to provide a connecting force that is not less than a weight of one of the containers when substantially filled with water, and to automatically seal its respective one of the plurality of containers upon detaching the container from its corresponding hollow tube, such that shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from the hollow tubes thereby causing the elastic fasteners to automatically seal the containers,

wherein the apparatus is configured to fill the containers substantially simultaneously with a fluid.

2. The apparatus of claim 1, wherein the first end of the housing has an outermost perimeter that is smaller in length than an outermost perimeter of second end.

3. The apparatus of claim 1, wherein the opening at the first end of the housing has a threaded inner surface.

4. The apparatus of claim 1, wherein each container comprises an expandable balloon portion.

5. The apparatus of claim 1, wherein each container comprises a rigid portion and a flexible portion, the flexible portion disposed between the clamp and the respective one of the plurality of tubes.

6. The apparatus of claim 1, wherein each container comprises a volumetric measurement marking providing a visual reference for filling the container to a desired volume.

US 9,051,066 B1

7

8

7. The apparatus of claim 1, wherein the clamp is disposed outwardly from the container and clamps an inner surface of the container against an outer surface of the respective one of the plurality of tubes.

8. The apparatus of claim 1, wherein the fluid comprises one or more of water, air and helium. 5

9. The apparatus of claim 1, wherein each clamp comprises an O-ring configured to automatically seal the container in response to a force applied to the container in a direction away from the housing. 10

10. The apparatus of claim 1, wherein the plurality of tubes comprise a first set of tubes each having a first length, and a second set of tubes each having a second length longer than the first length.

11. The apparatus of claim 1, wherein the housing is attached to a valve coupled to a fluid source, wherein the valve is configured to control delivery of the fluid to fill the plurality of containers. 15

12. The apparatus of claim 11, wherein the valve includes a lever that can be turned to a first position to turn on the valve and allow fluid flow to the housing, wherein the lever can be turned to a second position to turn off the valve and stop fluid flow to the housing. 20

13. The apparatus of claim 11, wherein one end of the valve is connected to a hose attached to a water supply, and the other end is threaded to the housing. 25

14. The apparatus of claim 1, wherein each hole at the second end of the housing extends through an outer surface of the housing, the outer surface opposing the opening at the first end of the housing. 30

\* \* \* \* \*

# EXHIBIT 2



# Barry Matthew Kudrowitz

Assistant Professor  
Director of Product Design Graduate Studies Minor  
Department of Design, Housing and Apparel  
College of Design  
University of Minnesota

37 Rapson Hall, 89 Church Street SE, Minneapolis MN 55455  
1 612 624 1708  
barryk@umn.edu  
www.wonderbarry.com  
twitter: @kudrowitz

## Research Interests

Creativity and Idea Generation Tools  
Concept Visualization and Sketching  
Play and Humor in Design  
Interactive Entertainment and Playful Interface Design

## Education

**PhD**, Mechanical Engineering, Massachusetts Institute of Technology (MIT), 2010  
*Dissertation: HaHa and Aha! Creativity, Idea Generation, Improvisational Humor, and Product Design*  
*Advisor: Dr. David Wallace*  
*Minor: Comparative Media Studies*

**Exchange Student** (i.e. Free Mover), Industrial Design Engineering, TU Delft, Netherlands, 2006

**MS**, Mechanical Engineering, Massachusetts Institute of Technology (MIT), 2006  
*Thesis: An Exploration of Concepts for Projectile Toys*  
*Advisor: Dr. David Wallace*

**BS**, Mechanical Engineering, University of Central Florida, 2004  
*Thesis: The Application of Pneumatic Capsule Pipelines in Conjunction with Linear Induction Motors towards the Enhancement of the Thrill Ride Industry*

## Positions Held

**2011-present**, Assistant Professor, Product Design, University of Minnesota, Twin Cities, MN, USA  
**2011-present**, Affiliate Member, Mechanical Engineering Graduate Faculty, University of Minnesota, MN, USA  
**2011-present**, Director of Graduate Studies, Product Design Minor, University of Minnesota, Twin Cities, MN, USA  
**2011-present**, Co-Founder and Creative Director, Popcorn Tuba LLP, Minneapolis, MN, USA  
**2011-present**, Fellow, Philadelphia University, College of Design Engineering and Commerce, Philadelphia, PA, USA  
**2011** - Post Doctoral Associate, Mechanical Engineering, MIT, Cambridge, MA, USA  
**2009 – 2010**, Instructor-G, Mechanical Engineering, MIT, Cambridge, MA, USA  
**2007-2008**, Teaching Assistant, Mechanical Engineering, MIT, Cambridge, MA, USA  
**2005-2006**, Research Assistant, Mechanical Engineering, MIT, Cambridge, MA, USA

## Awards

### Teaching

Goodwin Medal for Conspicuously Effective Teaching, MIT Institute Award (2009)

*Each year, MIT awards the Goodwin Medal to a graduate TA or Instructor (G) who has performed above and beyond the norm, and whose teaching efforts can truly be characterized as "conspicuously effective."*

Department Service Award, MIT (2009)

*Each year, the MIT Mechanical Engineering Department awards a student for outstanding service to the department. This award was related to the efforts in developing a class, Toy Product Design.*

### Academic

Research Slam, 2nd place, College of Design, University of Minnesota (2011)

*Each year the faculty of the College of Design present research. The awarded presentation was of work leading to an app/software to teach basics of sketching*

Lemelson-MIT Student Prize Finalist (2010)

*A student prize is awarded annually to an MIT student, who has created or improved a product or process, applied a technology in a new way, redesigned a system, or in other ways displayed a portfolio of inventiveness.*

Carl G. Sontheimer Prize for Creativity and Innovation in Design, MIT (2010)

*Each year, the MIT Mechanical Engineering Department awards a student for their creativity and innovation.*

Rohsenow Graduate Fellowship at MIT (2004-2005)

Top Honors Graduate/summa cum laude at the University of Central Florida (2004)

Order of Pegasus - Highest award offered to a student at the University of Central Florida (2004)

### Extracurricular

1st Place in the First Annual Unuseless Competition for the "Catsup Crapper," MIT Architecture Dept. (2005)

"The Orlando Grand Slam Master" - Highest Ranked Slam Poet, Orlando, FL (2003-2004)

## Scholarship - Publications

### Refereed Publications

Kudrowitz, B., Te, P., & Wallace, D. (2012). The Influence of Sketch Quality on Perception of Product-Idea Creativity. *Artificial Intelligence for Engineering Design and Manufacturing: Special Issue on Sketching*. 26 (3), 267-279.

Kudrowitz, B. & Wallace, D. (2012). Assessing the Quality of Ideas from Prolific, Early Stage Product Ideation. *Journal of Engineering Design: Special Issue on Design Creativity*. (ifirst, 1-20)

Ludden, G., Kudrowitz, B., Schifferstein, H., & Hekkert, P. (2012). Surprise and Humor in Product Design. *Humor: The International Journal of Humor*. 25(3).

Kudrowitz, B. & Wallace, D. (2010). The Play Pyramid: A Play Classification and Ideation Tool for Toy Design. *The Journal of Arts and Technology*. 3 (1), 36-56.

### Refereed Publications – In Press

Kudrowitz, B. (In Press). How (some) board games can help us be (more) innovative. *Insights Magazine*. Innovation Learning Network

### Refereed Conference Publications

Kudrowitz, B., Te, P., & Wallace, D. (2011, October). The Influence of Sketch Quality on Perception of Product-Idea Creativity." *IASDR2011, the 4<sup>th</sup> World Conference on Design Research*. Delft, Netherlands. (Reviewer's Favorite)

Kudrowitz, B. & Wallace, D. (2010, October). Improvisational Comedy and Product Design Ideation: Making Non-Obvious Connections between Seemingly Unrelated Things." *International Conference on Design and Emotion*. Chicago. (Nominated for Best Paper)

Kudrowitz, B. & Wallace, D. (2010, August) Assessing the Quality of Ideas from Prolific, Early Stage Product Ideation." *2010 International Design Engineering Technical Conferences*. Montreal, Canada. Pg. 381-391.

Kudrowitz, B. & Wallace, D. (July, 2008). The Play Pyramid: A Play Classification and Ideation Tool for Toy Design. *International Toy Research Association 5th World Congress 'Toys and Culture'*. Nafplion, Greece.

Gutowski, T., Taplett, A., Kudrowitz, B, et al. (2008, May). Environmental Life Style Analysis (ELSA). *IEEE International Symposium on Electronics and the Environment*. San Francisco, USA.

## Creative Production

### Product Design

- 2012 - AirStrum  
An air guitar that registers hand positions to play music  
Supervised UMN students: Adam Poetter and Andrew Maxwell-Parish
- 2012 - Seated Controller:  
A means of interacting with digital device using a rotating seat  
Supervised UMN student: Andrew Carlson
- 2012 - Marker Rendering Coloring Book  
A coloring book that teaches basics of shading 3D objects with markers  
Supervised UMN student: Andrew Carlson, Taylor Hill, and Angie Miller
- 2011 - Manhattan Toy, Automoblox®  
Conceptual Design and Design for Manufacture, sponsored research  
Supervised UMN students: Adam Poetter, Andrew Maxwell-Parish, Colin Nelson
- 2006 - Nerf® Atom Blaster®  
Hasbro sponsored research and design  
Product on the market for 4 years  
US Patent Application US20080078366: Toy Projectile Launching Device, 2007  
Research performed with William Fienup and Advisor Dr. David Wallace
- 2005 - The Catsup Crapper or AuTomato  
Design of a catsup bottle that roller skates to a plate and dispenses catsup  
First place recipient in the first annual MIT Unuseless Competition  
Featured on *The Martha Stewart Show* (2008) and Conan (2011)  
<http://www.catsupcrapper.com> and <http://www.automato57.com>
- 2004 - Endoscopic Biopsy Needle Design  
Coring needle design that preserves tissue histology  
US Patent Application US20080300507: Biopsy Needle, 2008  
Group Project for MIT Course 2.75 Precision Machine Design

### Digital/Software Design

- 2012 - Digital Sketching Game  
Developing software and apps for tablet computers to teach basic sketching skills  
With UMN Computer Science Graduate Students Lane Phillips and Krishna Natarajan
- 2011 - Word Bounce  
Iphone/Ipad word game available on iTunes  
Developed by Popcorn Tuba LLP, Partnership with Lane Phillips

### Entertainment and Exhibit Design

- 2012 - Creative Kid Stuff  
Design and build of a wall-size Etch-a-Sketch for Edina Store  
Supervised Andrew Carlson
- 2012 - The Works Museum of Science and Engineering  
Interactive Musical Tabletop Exhibit  
Project coordinator and student supervisor of James Cosper, Jesse Purvey, Colin Nelson, Annice Larkin
- 2006 - 5 Wits Interactive Entertainment  
Co-Designer of an elevator simulator for interactive show installed at the Spy Museum in Washington DC  
Group project for MIT course 2.744 Product Design
- 2006 - *Design Squad*  
Consulting for PBS show targeted at high school students to promote engineering  
Prototyping musical instruments: *Rock On*, Episode 2
- 2005 - 5 Wits Interactive Entertainment  
Storyboarding, set design, and animatronics for interactive "*Tomb*" show in Boston  
<http://www.5-wits.com> and <http://www.spymuseum.org/operationspy/index.php>

## Invited Professional Presentations

### International

- "How Play and Humor Help us Innovate." Talk. BMW Guggenheim Lab. Berlin, Germany. June 23, 2012.
- "Idea Generation Through Improvisation." Workshop. BMW Guggenheim Lab. Berlin, Germany. June 23, 2012.
- "Designing Discovery-Enriched Curriculum." Keynote. City University of Hong Kong. April 18, 2011.
- "Ideating Discovery-Enriched Curriculum." Workshop. City University of Hong Kong. April 19-20, 2011.
- "Creative Toy Design and Engineering." 5-Day Workshop. The Hong Kong Institute of Vocational Education (IVE). Hong Kong. June 21-25, 2010.
- "Design for Play. Play for Design." Speaker. International Conference on Toys and Children's Products. Alicante, Spain. May 14, 2009.
- "Gathering Ideas: Product Design and Innovation." Speaker. Design Cork Seminar. Lisbon, Portugal. May 16, 2008.

### National

- "The Importance of Play and Humor in Creative Design Practice" Talk. War Memorial Hospital. Sault Ste. Marie, MI. January 15, 2013.
- "A Hands-on Introduction to a Creative Product Design Process." Workshop. War Memorial Hospital. Sault Ste. Marie, MI. January 16-17, 2013.
- "The Importance of Play and Humor in Creative Design Practice." Talk. RetailGreen Conference. Phoenix, AZ. Nov 27.
- "A Humorous, Playful Brainstorming Process." Creative Session. Curb Center Creative Practice Bootcamp. Vanderbilt. Nashville, TN. August 31, 2012.
- "The Importance of Play and Humor in Creative Design Practice." Talk. Innovation Learning Network (ILN) InPerson. Detroit, IL. May 15, 2012.
- "A Hands-on Introduction to a Creative Product Design Process." Workshop. Innovation Learning Network (ILN) InPerson. Detroit, IL. May 16, 2012.
- "Play, Humor and Creativity." Lecture. Vanderbilt University. Nashville, TN. March 26-27, 2012.
- "Play, Humor and Creativity." Lecture. Philadelphia University. Philadelphia, PA. May 19, 2011.
- "Increasing Creativity and Fluency in Product Design Idea Generation." Lecture. MIT, Mechanical Engineering. Cambridge, MA. March 14, 2011.
- "Play and Idea Generation." Workshop. Seminar for Mechanical Engineering Students in Computer Aided Design. Purdue University, West Lafayette. January 28, 2011.
- "Fueling Design Innovation: Relationships Between Creativity, Humor and Play." Talk. MIT Media Lab. March 10, 2010.

### Local – Industry

- "How Play and Humor Help us Innovate." Keynote Talk. Medtronic. Minneapolis, MN. January 25, 2013.
- "A Hands-on Introduction to a Creative Product Design Process." Workshop. Starkey. Eden Prairie, MN. January 8, 2013.
- Target Brainstorm: Future of Target Store Experience. University of Minnesota. Minneapolis. November 15, 2012
- "The Importance of Play and Humor in Creative Design Practice." Talk. American Society of Mechanical Engineers (ASME). Plymouth, MN. October 10, 2012.
- "A Playful Product Design Process." 3M Tech Forum. Lake Elmo, MN. August 16, 2012.
- "Innovation and Brainstorming." Workshop. 3M Skin/Wound Care Division. St. Paul, MN. March 6, 2012.
- "Importance of Play and Humor in Creative Design Practice." 3M Tech Forum. St. Paul. March 2, 2012.
- "The Importance of Play and Humor in Creative Design Practice." Speaker. Target Engineer Week. Target Headquarters. Minneapolis, MN. Feb 20, 2012.
- "The Importance of Play and Humor in Creative Design Practice." Lecture. Mayo Clinic, Systems Engineering and Operations Research Collaborative. Rochester, MN. Jan 13, 2012.
- "Improv and Idea Generation." Workshop. Mayo Clinic, Center for Innovation. Rochester, MN. Jan 13, 2012.
- "Play and Creative Design." Speaker. The Works, Science and Engineering Museum. Bloomington, MN. Dec 8, 2011.
- "Play, Humor and Creativity." Speaker. Pixel Farm Digital. Minneapolis, MN. Dec 8, 2011.
- "Play, Humor and Creativity." Workshop and Lecture. Creative Kid Stuff Corporate, Minneapolis, MN. July 14, 2011

"Play, Humor and Creativity." Lecture. Logic Product Design. Minneapolis, MN. May 25, 2011.

"Play, Humor and Creativity." Workshop and Lecture. 3M. St. Paul, MN. May 18, 2011.

#### **Local – Academia**

"Improv and Idea Generation for the Classroom." Workshop. Design Lab for Educators. Minneapolis, MN.

"Idea Generation Through Improvisation." Workshop. Minnesota Library Association Institute for Leadership Excellence. Breezy Point, MN. May 14-17, 2013.

"Sketch Your Ideas!" Talk. University of Minnesota Backstage Pass: An Event for National Merit Semifinalists. Minneapolis, MN. November 2, 2012.

"Sketch Your Ideas!" Talk. College of Design, Welcome Week/College Day. Minneapolis, MN. August 30, 2012.

"Improvisation for Idea Generation." Workshop. Walker Kitchen Lab. Minneapolis, MN. June 18, 2012.

"Mash-Up: Transforming Education with Design Thinking." Lecture and Workshop. Council of Educational Facility Planners International, Midwest Regional Conference. Minneapolis, MN. April 25-27, 2012.

"Brainstorming for Medical Devices." Design of Medical Devices Conference Medical Device Innovation Workshop. April 9, 2012.

"Creativity and Leadership." Speaker. 2011-2012 President's Emerging Leaders Program. St. Paul. February 17, 2012.

"Design of a Nerf Blaster in 7 Minutes." Speaker. Design in 7. University of Minnesota. Minneapolis. April 14, 2011.

"A Playful Product Design Process." Keynote Lecture. Design Intersections Symposium. Minneapolis, March 31, 2011.

"The Humor of Innovation." Speaker and Panelist. Making, Selling, Buying, Using: Emerging Issues in Product Design. Minneapolis, MN. September 17, 2010.

"Real Toys for an Increasing Virtual World." Panelist. Sandbox Summit: iPlay, YouPlay, WiiPlay. MIT, Cambridge, MA. May 18-19, 2010

#### **Local – University of Minnesota, Guest Lectures**

"The Importance of Play and Humor in Creative Design Practice." DHA Lunch Meeting Talk. St. Paul, MN.

"Opportunity Finding, Observation, and Ethnography." Talk. Kin 3505 Human-Centered Design. Minneapolis, MN. October 3, 2012.

"A Hand-on Introduction to a Creative Design Process." Workshop. ME 4054W Design Projects. Minneapolis, MN. September 27, 2012.

"The Importance of Play and Humor in Creative Design Practice." Talk. ME 4054W Design Projects. Minneapolis, MN. September 25, 2012.

"The Importance of Play and Humor in Creative Design Practice." Talk. DES 1101W Design Thinking. St. Paul, MN. September 18, 2012.

"A Humorous, Playful Brainstorming Process." Workshop. ME 8221 New Product Design and Business Development. Minneapolis, MN. September 12, 2012

"Innovation and Brainstorming" Workshop. MATS 4400 Senior Design Project. Minneapolis, MN. February 21, 2012.

"Innovation and Brainstorming." Talk. ME 4054W Design Projects. Minneapolis, MN. February 7, 2012.

"The Importance of Play and Humor in Creative Design Practice." Talk. DES 1101W Design Thinking. St. Paul, MN. January 31, 2012.

"Creativity and Ideation" Talk. MATS 4400 Senior Design Project. Minneapolis, MN. January 19, 2012.

"Opportunity Finding, Observation, and Ethnography." Talk. Kin 3505 Human-Centered Design. Minneapolis, MN. October 18, 2011.

"Creativity Workshop." ME 8221 New Product Design and Business Development. Minneapolis, MN. September 14, 2011

"Design of Nerf Blaster." Talk. PSY 1905 Psychology of Design. Minneapolis, MN. April 28, 2011.

"Play, Humor, and Creativity." Talk. DES 1111 Creative Problem Solving. Minneapolis, MN. April 28, 2011.

"Play." Talk. LA 8205 Urban Form Options Studio. Minneapolis, MN. March 4, 2011.

"Product Design Interaction." Talk. GDes 2385W Design and Factors of Human Perception. St. Paul, MN. February 3, 2011.

"Innovation and Brainstorming." Talk. MATS 4400 Senior Design Project. Minneapolis, MN. January 21, 2011.

## Consulting Services

Toy Design Expert Witness. Boston, MA. 2012-2013.

Children's Museum Design. Meyer Scherer & Rockcastle, Ltd. Minneapolis, MN. 2012-2013.

## Teaching

### University of Minnesota, College of Design – Courses Developed and Taught

#### **Creativity, Idea Generation and Innovation (PDes 3701/5701)**

**Creator and Course Instructor**, 2011 - present

2 Credits, Fall Semester, First Seven Weeks

*Description:* introduction to a variety of creativity and idea generation tools with an emphasis on innovative product concept development

<http://product.design.umn.edu/courses/pdes3701/index.html>

#### **Concept Sketching and Rendering (PDes 3702/5702)**

**Creator and Course Instructor**, 2011 - present

2 Credits, Fall Semester, Second Seven Weeks

*Description:* introduction to freehand sketching and rendering for communication of conceptual product design

#### **Toy Product Design (PDes 3711/5711)**

**Creator and Course Instructor**, 2011 - present

4 Credits, Spring Semester

*Description:* project-based course that introduces undergraduates to product design process and techniques

<http://product.design.umn.edu/courses/pdes3711/>

### University of Minnesota, College of Design – Courses Developed

#### **Product Form and Model Making (PDES 3703/5703)**

4 Credits, Fall 2012

*Description:* introduction to 3-dimensional form for product aesthetics and usability

#### **Innovative Computer Modeling and Rendering for Design (PDES 5710)**

4 Credits, Spring 2013

*Description:* how to make high quality digital models of existing and conceptual objects

### University of Minnesota, College of Design – Courses Under Development

#### **Designed by U**

*Description:* students work with a client to design and mass produce a short run of 2D product

#### **Manufacturing for Design**

*Description:* hands-on introduction to a variety of manufacturing processes for product design

#### **Food and Design**

*Description:* Co-taught with local chefs, students will learn a variety of design theories and tools through food

#### **App Design**

*Description:* an interdisciplinary collaboration between journalism, graphic design, product design, and computer science

### University of Minnesota, College of Design - Programs Under Development

Undergraduate Product Design Minor

Graduate Product Design Master of Science

### 3M - Courses Developed

#### **The Art of Enhanced Communication**

*Description:* drawing and visualization skills for engineers and scientists

8 Week course, June-August 2012

### **Creative Tools for Innovation**

*Description:* a hands-on idea generation and development class for designers and engineers

7 Week course, January-February 2013

## **MIT, Department of Mechanical Engineering**

### **Toy Product Design (2.00b/SP.778)**

**Co-Creator and Course Instructor**, 2005 - 2010

*Description:* project-based course that introduces undergraduates to product design process and techniques

Three teams have filed provisional patent applications; one team won \$10,000 in the *Absolutely New Product Contest*

<http://web.mit.edu/2.00b/www>

### **Advanced Toy Product Design (SP.779)**

**Co-Creator and Course Instructor**, 2008 - 2009

*Description:* continuation of Toy Product Design, students take designs to a more advanced prototype stage

### **Product Engineering Processes (2.009)**

**Lab Instructor and Teaching Assistant**, 2005 - 2010

*Description:* mechanical engineering capstone undergraduate product design process course

<http://web.mit.edu/2.009/www>

### **Product Design (2.744)**

**Teaching Assistant**, 2006, 2008

*Description:* graduate project-based course emphasizing user experience, product form, and human factors

<http://web.mit.edu/2.744/www>

## **Service**

### **National**

Member, Play from Scratch Advisory Board, 2012

Member, American Society of Mechanical Engineers (ASME), 2004-2005, 2013-present

Member, International Food Design Society, 2012

Reviewer, 2nd International Conference on Design Creativity (ICDC), 2012

Member, Industrial Designers Society of America (IDSA), 2011-Present

Judge, Toy of the Year Awards (*i.e.* TOTY), 2011-Present

Judge, FIRST Robotics, Minneapolis, 2011

### **University of Minnesota**

UROP Review Committee for Spring 2012

Member, Product Design Faculty Search Committee, 2012

Member, CDES Interdisciplinary Design Committee, 2012

Member, Colleagues Advisory Board, Weisman Art Museum, 2011 - Present

Chair, Product Design Graduate Minor Committee, 2011- Present

Member, Digital Fabrication Laboratory Committee, 2011 - Present

Member, College of Design Lectures Committee, 2011 - 2012

Member, DHA Curriculum Committee, 2011 - Present

Member, Design Graduate Faculty, 2011 - Present

Member and Facilitator, Target & UMN College of Design New Collaborations Team, 2011

## **Patents**

Patent Filed in 2007 - Toy Projectile Launching Device, US Patent Application US20080078366

Patent Filed in 2004 - Endoscopic Biopsy Needle Design, US Patent Application US20080300507

## Media Exposure

### Museum Installations

- "Tune Toy." *The Works Museum*. Bloomington, MN. June 2012-present
- "Toy Product Design." *MIT Museum*. Cambridge, MA. June 2008-10.
- "Toys and Games: More than Amusement." *Revolving Museum*. Lowell, MA. 2008.

### Television/Film/Radio

- "Design professor & toy lover Barry Kudrowitz talks toys, creativity, and why play matters." The Roadhouse. WTIP North Shore Community Radio 90.7FM. Nov 30, 2012.
- "Musical Toy Story." *Daily Planet*. Discovery Canada. January 18, 2012.
- "Good Question: What Toys Will Be Hot For the Holidays?" *Channel 4 News*. CBS Local. WCCO-TV. Sept 20, 2011.
- "Transformers 2 – Deleted Scene." *Conan*. TBS. June 28, 2011.
- "Food." *Off The Air*. Episode 2. Cartoon Network's Adult Swim. May 25, 2011.
- "Creating Toys for Credit at U of M" *Fox 9 News*. M.A. Rosko Interview. FOX. May 11, 2011.
- "Star Wars – Deleted Scene." *Conan*. TBS. Jan 11, 2011.
- "Barry Kudrowitz: Brainstorming in the MIT Toy Lab." *Imagine It! 2*. DVD. Infinite Loop Media LLC. July, 2009.
- "Unuseless Inventions." *Martha Stewart Show*. Fine Living Channel. New York. Feb 15th, 2008.
- "Rock On: Episode 2." *Design Squad*. PBS. Boston. 2007
- "Archimedes Death Ray: Episode 46." *Mythbusters*. Discovery Channel. San Francisco. January 25, 2006.

### Magazine

- Jacqueline Detwiler, Best Buys. *Hemispheres Inflight Magazine*. November 2011
- Ledetta Wossen. "Toy Boy." *MADE Magazine*. Issue 2. Profile Feature. Pg. 42-45. 2011
- John. B. Carnett. "PopSci's 25 Most Awesome College Labs 2011." *Popular Science*. Aug 2011
- Thomas Grose. "Hot Courses." American Society for Engineering Education (*ASEE*) *PRISM*. Summer 2011.
- Rena Marie Pacella. "Mind –Blowing College Labs" *Popular Science*. September 2010.
- Paul McMorrow. "Good Bostonian: Barry Kudrowitz, Product Designer." *Boston's Weekly Dig*. Aug 2007.
- Etienne Benson. "Toy Stories." Association for Psychological Science *Observer*. December 2006.
- Paul McMorrow. "Bringing Cambridge What it Badly Needs: A Death Ray." *Boston's Weekly Dig*. Oct 19, 2005.
- "20 Coolest People in Orlando." *Axis Magazine*. November 2004.

### Newspaper

- Alex Gaterud. "U Students Share Their Toy Stories." *Star Tribune*. May 2011.
- Jessica Lussenhop. "The Land of GoBots, Pound Puppies, and Care Bears." *City Pages*. March 30, 2011.
- Richard Chin. "Toys R' Him." *Pioneer Press*. March 1st, 2011.
- Amanda Hamon. "Future Engineers Try Thinking Outside the Sandbox." *Lafayette Indiana News*. Jan. 29, 2011.
- Katy Jordan. "Wily Wonks and the High-Tech Toy Factory." *Boston Herald*. May 16, 2010
- Sarah Wright. "Toy Soldier: At Play with Barry Kudrowitz, MIT Toy Designer." *MIT Tech Talk*. Dec 12, 2007.
- Anne Trafton. "Toy Designers Make Brushing Fun." *MIT Tech Talk*. May 24, 2006.



### Online Publications and Blogs

Bridget Aymar. "How to spark your creativity: tips from a toy designer." *Business @ the U of M Blog*. October 5, 2012.

Christine McLaren. "Ha ha, Ha ha ... Aha! How a Toy Designer Could Teach Us to Save Our Cities." *BMW Guggenheim Lab Log*. June 26, 2012.

John Cheese. "The 9 Most Brilliant Pieces of Comedy Hiding on YouTube." *Cracked.com*. June 21, 2012.

Bill Magdalene. "Prototype. Test. Repeat." *UMNews* Feature. May 31, 2012.

Jill Jensen. "University Professor Launches New Word Game for iPhone." *The Minnesota Daily*. Sept 29, 2011.

Elizabeth Giorgi. "Jumping into Toy Design." *UMNews* Feature. May 13, 2011.

Rain Noe. "Dangerous Toys and Other Different Thinking for UofM's New Toy Design Professor." *Core 77*. Mar 1, 2011.

Christa Meland. "U of M Debuts Toy Design Class; Local Co. to Advise." *Twin Cities Business*. Jan. 26, 2011.

Mark Frauenfelder. "Ketchup Dispensing Mobile Robot." *Boing Boing*. Jan 12, 2011

Michael Tedder. "Toy Story." *FLYP Media*. Issue 30. May 26 - June 7, 2009.

John Park. "Nerf Atom Blaster from Concept to Production." *MAKE*. Nov 27, 2008

Levi Fishman. "Get a B.A. in Toy Design (Batteries not Included)." *Columbia News Service*. Dec 6, 2007.

David Pescovitz. "Archimedes's Death Ray Realized." *Boing Boing*. Oct 6, 2005.

Barb Dybwad. "The Catsup Crapper." *Engadget*. Sept 1, 2005.

# EXHIBIT 3

## SYSTEM AND METHOD FOR FILLING INFLATABLE CONTAINERS WITH LIQUIDS

### TECHNICAL FIELD

The present disclosure relates generally to liquid inflatable systems and more particularly to a system and method for filling inflatable containers with liquids.

### OVERVIEW

An example embodiment of an apparatus for filling inflatable containers with liquid is provided and includes a housing with a threaded opening at a first end and a plurality of holes at a second, opposite end, the threaded opening being removably attachable to a liquid supply tube, a plurality of hollow tubes removably attached to the plurality of holes on the housing, and a plurality of inflatable containers removably attached to the plurality of hollow tubes. An elastic ring clamps each inflatable container to each hollow tube. When the inflatable containers are substantially filled with liquid and pulled away from the hollow tubes, the elastic rings seal the inflatable containers with the liquid inside.

### BRIEF DESCRIPTION OF THE DRAWINGS

The present disclosure is best understood from the following detailed description when read with the accompanying figures. The various features are not drawn to scale. In fact, the dimensions of the various features may be arbitrarily increased or reduced for clarity of discussion.

FIGURE 1 is a simplified diagram showing a perspective view of an embodiment of the system for filling inflatable containers with liquids.

FIGURE 2 is a simplified diagram showing a cross-sectional view of details of an embodiment of the system.

### DETAILED DESCRIPTION

It is to be understood that the following disclosure describes several example embodiments for implementing different features, structures, or functions of the system.

Example embodiments of components, arrangements, and configurations are described herein to simplify the present disclosure. However, these example embodiments are provided merely as examples and are not intended to limit the scope of the invention.

The present disclosure may repeat reference numerals and/or letters in the various exemplary embodiments and across the Figures provided herein. This repetitions is for the purpose of simplicity and clarity and does not in itself indicate a relationship between the various exemplary embodiments and/or configurations discussed in the various Figures.

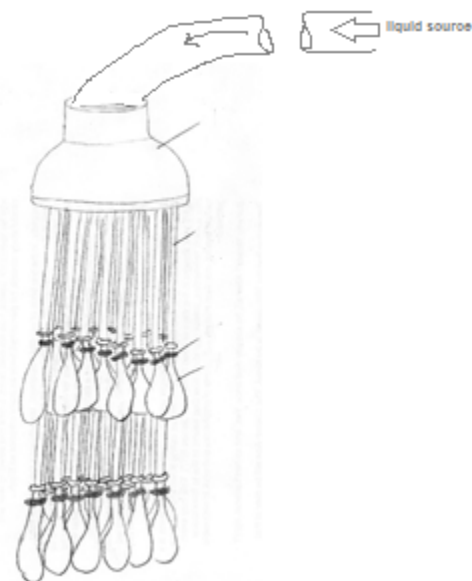


FIGURE 1

Figure 1 shows an embodiment of a system for filling inflatable containers with liquids. In one example embodiment, the inflatable containers comprise water balloons that may be filled with water. In another example embodiment, the inflatable containers may comprise flexible (e.g., elastic) containers that may be filled with liquid medications. In yet another example embodiment, the inflatable containers may comprise flexible (e.g., elastic) containers that may be filled with body fluids (e.g., urine, blood) for example, to collect multiple samples simultaneously for testing.

In various embodiments, the system comprises a housing, tubes, balloons, and o-rings. The housing has a threaded opening at one end for connecting to a liquid supply tube. In an example embodiment, water may be supplied to the housing through a garden hose. The opposite end of the housing has an array of holes. A small tube is inserted into each hole. The other end of each tube is inserted into the inflatable container (e.g., balloon) and an elastic ring (e.g., o-ring) of sufficient size to expand and clamp around the tube is placed over the neck of the inflatable container, clamping and sealing it to the tube. The housing is connected to the liquid supply tube (e.g., garden hose) and liquid (e.g., water) supply is turned on. In some embodiments, the liquid may be supplied at high pressure. In other embodiments, the liquid may flow under gravity. Virtually any mechanism that facilitates liquid flow through the tube at sufficient pressure to fill the inflatable containers may be used within the broad scope of the embodiments.

The liquid flows through the housing and tubes and into the inflatable containers causing them to inflate. After the inflatable containers have reached the desired size, they are removed from the tubes by pulling them or by shaking the housing causing them to fall off. The elastic ring slides with the inflatable container and constricts the neck of the inflatable container, sealing it.

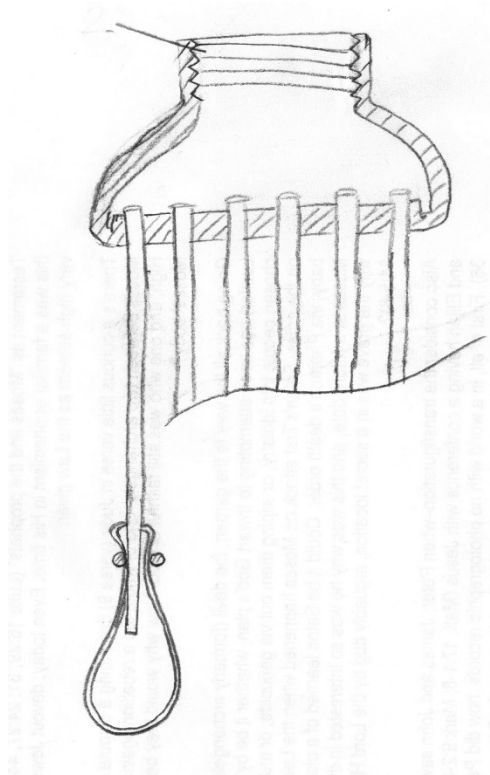


FIGURE 2

FIGURE 2 illustrates a cross-sectional view of a portion of the system. The housing comprises an internal volume, a threaded opening at a first end, and an array of holes at a second end. The internal volume distributes the water entering at the threaded opening to the array of holes at the second end. The threaded opening at the first end of the housing is configured for attaching to a liquid supply tube (e.g., garden hose). The array of holes at the second end is configured for connecting the first ends of the tubes. The number of holes in the array at the second end of the housing and the number of tubes in the system correspond to the number of inflatable containers in the system that are desired to be filled and sealed substantially simultaneously. The first end of each tube is connected to one of the holes by any suitable means such as compressing or gluing. The second end of each tube is inserted into one of the inflatable containers. The elastic ring (e.g., O-ring) is placed around the neck of each inflatable container clamping the neck to the tube.

To fill and seal the inflatable containers, the housing is attached to a liquid supply tube (e.g., garden hose) and the liquid supply is turned on. The liquid enters the housing, is distributed to the tubes, travels down the tubes, and fills the inflatable containers. The inflatable containers are filled and expand substantially simultaneously. When the inflatable containers have reached the desired size, they are removed from the tubes. They can be removed by falling off, by shaking them off, by pulling them off by hand. As each inflatable containers is removed from its tube, the elastic ring (e.g., o-ring) constricts the neck of the inflatable container sealing it with the liquid inside.

The inflatable containers may be made of elastic materials, like rubber, silicone, etc. The housing and tubes may be made of relatively rigid materials, like metal, hard plastic, etc. In a general sense, material selection may be driven by cost, material compatibility (e.g., stainless steel used with corrosive liquids, etc.), safety, hygiene, and other particular needs depending on the specific application. Virtually any suitable material may be used for the various components of the system within the broad scope of the embodiments.

While the system has been described with reference to several particular embodiments thereof, those skilled in the art will be able to make various modifications to the described embodiments of the system without departing from its true spirit and scope. It is intended that all elements of steps which are insubstantially different from those recited in the claims but perform substantially the same functions, respectively, in substantially the same way to achieve the same results as what is claimed are within the scope of the invention.

WHAT IS CLAIMED IS:

1. An apparatus comprising:

a housing with a threaded opening at a first end and a plurality of holes at a second, opposite end, wherein the threaded opening can removably attach to a liquid supply tube;

a plurality of hollow tubes removably attached to the plurality of holes on the housing;

a plurality of inflatable containers removably attached to the plurality of hollow tubes, wherein an elastic ring clamps each inflatable container to each hollow tube, wherein when the inflatable containers are substantially filled with liquid and pulled away from the hollow tubes, the elastic rings seal the inflatable containers with the liquid inside.

2. The apparatus of Claim 1, wherein the inflatable containers comprise water balloons that can be filled with water.

3. A method comprising:

attaching a housing to a liquid supply, wherein the housing has a threaded opening at a first end and a plurality of holes at a second, opposite end, wherein the threaded opening can removably attach to a liquid supply tube connecting the housing to the liquid supply, wherein a plurality of hollow tubes are removably attached to the plurality of holes on the housing, wherein a plurality of inflatable containers are removably attached to the plurality of hollow tubes, wherein an elastic ring clamps each inflatable container to each tube;

supplying a liquid from the liquid supply to the housing; and  
substantially simultaneously filling the plurality of inflatable containers with the liquid.



4. The method of Claim 4, further comprising:

pulling away each inflatable container substantially filled with liquid from the corresponding hollow tube, wherein the elastic rings seal the inflatable containers with the liquid inside.

# EXHIBIT 4

## SYSTEM AND METHOD FOR FILLING INFLATABLE CONTAINERS WITH FLUIDS

### TECHNICAL FIELD

The present disclosure relates generally to fluid inflatable systems and more particularly to a system and method for filling inflatable containers with fluids.

### OVERVIEW

An example embodiment of an apparatus for filling inflatable containers with fluid (e.g., gas or liquid) is provided and includes a housing with a threaded opening at a first end and a plurality of holes at a second, opposite end, the threaded opening being removably attachable to a fluid supply tube, a plurality of hollow tubes attached to the plurality of holes on the housing, and a plurality of inflatable containers removably attached to the plurality of hollow tubes. An elastic ring clamps each inflatable container to each hollow tube. When the inflatable containers are substantially filled with fluid and pulled away from the hollow tubes, the elastic rings seal the inflatable containers with the fluid inside.

### BRIEF DESCRIPTION OF THE DRAWINGS

The present disclosure is best understood from the following detailed description when read with the accompanying figures. The various features are not drawn to scale. In fact, the dimensions of the various features may be arbitrarily increased or reduced for clarity of discussion.

FIGURE 1 is a simplified diagram showing a perspective view of an embodiment of the system for filling inflatable containers with fluids.

FIGURE 2 is a simplified diagram showing a cross-sectional view of details of an embodiment of the system.

### DETAILED DESCRIPTION

It is to be understood that the following disclosure describes several example embodiments for implementing different features, structures, or functions of the system.

Example embodiments of components, arrangements, and configurations are described herein to simplify the present disclosure. However, these example embodiments are provided merely as examples and are not intended to limit the scope of the invention.

The present disclosure may repeat reference numerals and/or letters in the various exemplary embodiments and across the Figures provided herein. This repetitions is for the purpose of simplicity and clarity and does not in itself indicate a relationship between the various exemplary embodiments and/or configurations discussed in the various Figures.

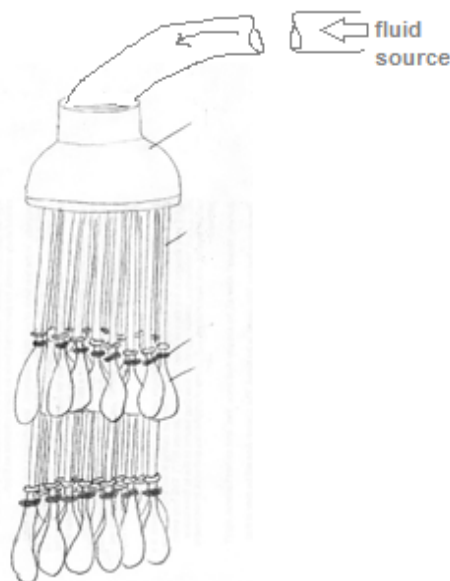


FIGURE 1

Figure 1 shows an embodiment of a system for filling inflatable containers with fluids. In one example embodiment, the inflatable containers comprise balloons that may be filled with air or helium. In another example embodiment, the inflatable containers may comprise flexible (e.g., elastic) containers that may be filled with gaseous medications. In yet another example embodiment, the inflatable containers comprise water balloons that may be filled with water. In yet another example embodiment, the inflatable containers may comprise flexible (e.g., elastic) containers that may be filled with liquid medications. In yet another example embodiment, the inflatable containers

may comprise flexible (e.g., elastic) containers that may be filled with body fluids (e.g., urine, blood) for example, to collect multiple samples simultaneously for testing. Virtually any type and kind of fluid may be used within the broad scope of the embodiments.

In various embodiments, the system comprises a housing, tubes, balloons, and o-rings. The housing has a threaded opening at one end for connecting to a fluid supply tube. In an example embodiment, gas (e.g., air, oxygen, nitrogen, helium, etc.) or liquid (e.g., water, medications, etc.) may be supplied to the housing through a tube (e.g., plastic tube). The opposite end of the housing has an array of holes. A small tube is inserted into each hole. The other end of each tube is inserted into the inflatable container (e.g., balloon) and an elastic ring (e.g., o-ring) of sufficient size to expand and clamp around the tube is placed over the neck of the inflatable container, clamping and sealing it to the tube. The housing is connected to the fluid supply tube and fluid (e.g., gas or liquid) supply is turned on. In some embodiments, the fluid may be supplied at high pressure. Virtually any mechanism that facilitates fluid flow through the tube at sufficient pressure to fill the inflatable containers may be used within the broad scope of the embodiments.

The fluid flows through the housing and tubes and into the inflatable containers causing them to inflate. After the inflatable containers have reached the desired size, they are removed from the tubes by pulling them or by shaking the housing causing them to fall off. The elastic ring slides with the inflatable container and constricts the neck of the inflatable container, sealing it.

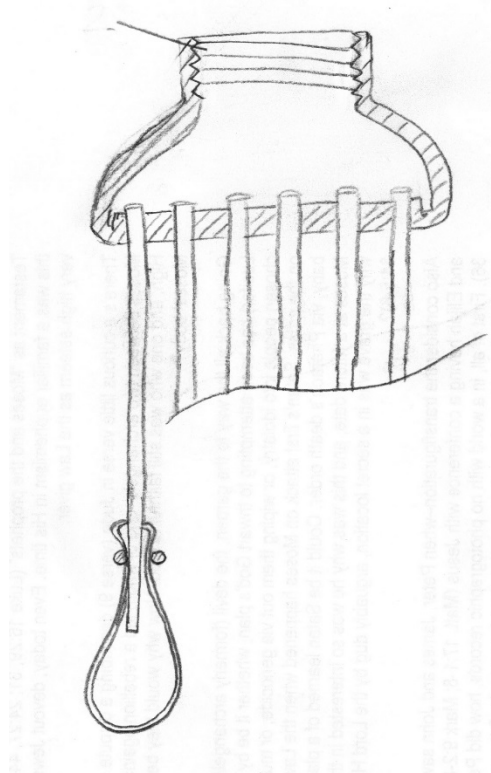


FIGURE 2

FIGURE 2 illustrates a cross-sectional view of a portion of the system. The housing comprises an internal volume, a threaded opening at a first end, and an array of holes at a second end. The internal volume distributes the fluid entering at the threaded opening to the array of holes at the second end. The threaded opening at the first end of the housing is configured for attaching to a fluid supply tube (e.g., garden hose, plastic tube, etc.). The array of holes at the second end is configured for connecting the first ends of the tubes. The number of holes in the array at the second end of the housing and the number of tubes in the system correspond to the number of inflatable containers in the system that are desired to be filled and sealed substantially simultaneously. The first end of each tube is connected to one of the holes by any suitable means such as compressing or gluing. The second end of each tube is inserted into one of the inflatable containers. The elastic ring (e.g., O-ring) is placed around the neck of each inflatable container clamping the neck to the tube.

To fill and seal the inflatable containers, the housing is attached to a fluid supply tube (e.g., garden hose) and the fluid supply is turned on. The fluid enters the housing, is distributed to the tubes, travels down the tubes, and fills the inflatable containers. The inflatable containers are filled and expand substantially simultaneously. When the inflatable containers have reached the desired size (e.g., filled with the desired volume of fluid), they are removed from the tubes. They can be removed by falling off, by shaking them off, by pulling them off by hand. As each inflatable containers is removed from its tube, the elastic ring (e.g., o-ring) constricts the neck of the inflatable container sealing it with the fluid inside.

The inflatable containers may be made of elastic materials, like rubber, silicone, etc. The housing and tubes may be made of relatively rigid materials, like metal, hard plastic, etc. In a general sense, material selection may be driven by cost, material compatibility (e.g., stainless steel used with corrosive fluid, etc.), safety, hygiene, and other particular needs depending on the specific application. Virtually any suitable material may be used for the various components of the system within the broad scope of the embodiments.

While the system has been described with reference to several particular embodiments thereof, those skilled in the art will be able to make various modifications to the described embodiments of the system without departing from its true spirit and scope. It is intended that all elements of steps which are insubstantially different from those recited in the claims but perform substantially the same functions, respectively, in substantially the same way to achieve the same results as what is claimed are within the scope of the invention.

WHAT IS CLAIMED IS:

1. An apparatus comprising:

a housing with a threaded opening at a first end and a plurality of holes at a second, opposite end, wherein the threaded opening can removably attach to a fluid supply tube;

a plurality of hollow tubes attached to the plurality of holes on the housing;

a plurality of inflatable containers removably attached to the plurality of hollow tubes, wherein an elastic ring clamps each inflatable container to each hollow tube, wherein when the inflatable containers are substantially filled with fluid and pulled away from the hollow tubes, the elastic rings seal the inflatable containers with the fluid inside.

2. The apparatus of Claim 1, wherein the inflatable containers comprise balloons that can be filled with at least one of air and helium.

3. The apparatus of Claim 1, wherein the inflatable containers comprise water balloons that can be filled with water.

4. A method comprising:

attaching a housing to a fluid supply, wherein the housing has a threaded opening at a first end and a plurality of holes at a second, opposite end, wherein the threaded opening can removably attach to a fluid supply tube connecting the housing to the fluid supply, wherein a plurality of hollow tubes are attached to the plurality of holes on the housing, wherein a plurality of inflatable containers are removably attached to the plurality of hollow tubes, wherein an elastic ring clamps each inflatable container to each tube;

supplying a fluid from the fluid supply to the housing; and

substantially simultaneously filling the plurality of inflatable containers with the fluid.



5. The method of Claim 4, further comprising:

pulling away each inflatable container substantially filled with fluid from the corresponding hollow tube, wherein the elastic rings seal the inflatable containers with the liquid inside.

# EXHIBIT 5

Provided to the Court *via* DVD

# EXHIBIT 6

**Exhibit 6 - List of Materials Considered**

- U.S. Patent No. 9,051,066
- Provisional Patent Application No. 61/937083 (filed February 7, 2014)
- Provisional Patent Application No. 61/942193 (file February 20, 2014)
- File History of U.S. Patent No. 9,051,066 patent
- Plaintiffs' Motion for a Preliminary Injunction
- Defendants' Response in Opposition to Plaintiffs' Motion for a Preliminary Injunction (including attachments/exhibits)
- Telebrands' Petition for Post-Grant Review Pursuant to 35 U.S.C. §§ 321-328 and C.F.R. § 42.200 *et seq.* (including attachments/exhibits)
- Kickstarter, Bunch O Balloons: 100 Water Balloons in Less Than 1 Minute, <https://www.kickstarter.com/projects/bunchoballoons/bunch-o-balloons-100-water-balloons-in-less-than-1> (last visited August 4, 2015)
- Kickstarter, Bunch O Balloons, The Kickstarter Chapter is Complete, <https://www.kickstarter.com/projects/bunchoballoons/bunch-o-balloons-100-water-balloons-in-less-than-1/posts/1223980> (last visited August 4, 2015)
- Kickstarter, Stats, <https://www.kickstarter.com/help/stats> (last visited August 4, 2015)
- Kickstarter, <https://www.kickstarter.com/learn> (last visited August 4, 2015)
- Rebecca Hiscott, *Genius Dad Figures Out Way To Fill 37 Water Balloons In 20 Seconds*, Huffington Post, Jul. 23, 2014, [http://www.huffingtonpost.com/2014/07/23/bunch-o-balloons\\_n\\_5613144.html](http://www.huffingtonpost.com/2014/07/23/bunch-o-balloons_n_5613144.html).

- Katie Kindelan, *Father-of-Eight Creates Genius Water Balloon Invention*, ABC News, July 24, 2014, <http://abcnews.go.com/Lifestyle/father-creates-genius-water-balloon-invention/story?id=24698486>.
- Samantha Grossman, *Hero Builds a Genius Machine That Can Fill 100 Water Balloons in a Minute*, Time, July 24, 2014, <http://time.com/3029563/hero-builds-a-genius-machine-that-can-fill-100-water-balloons-in-a-minute>.
- All other references discussed in my Declaration

# EXHIBIT 7

Doc Code: TRACK1.REQ

Document Description: TrackOne Request

PTO/AIA/424 (04-14)

**CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION  
UNDER 37 CFR 1.102(e) (Page 1 of 1)**

First Named Inventor:	JOSHUA MALONE	Nonprovisional Application Number (if known):	
Title of Invention:	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUID		

**APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.**

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently \$0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.
2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.
3. The applicable box is checked below:

**I. ☒ Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)**

- i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.  
---OR---  
(b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.
- ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, or the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.

**II. ☐ Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)**

- i. A request for continued examination has been filed with, or prior to, this form.
- ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
- iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
- iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
- v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature <b>/MANJULA VARIYAM/</b>	Date <b>2014-08-19</b>
Name (Print/Typed) <b>MANJULA VARIYAM</b>	Practitioner Registration Number <b>62982</b>

**Note:** This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.\*

☐

\*Total of \_\_\_\_\_ forms are submitted.



## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

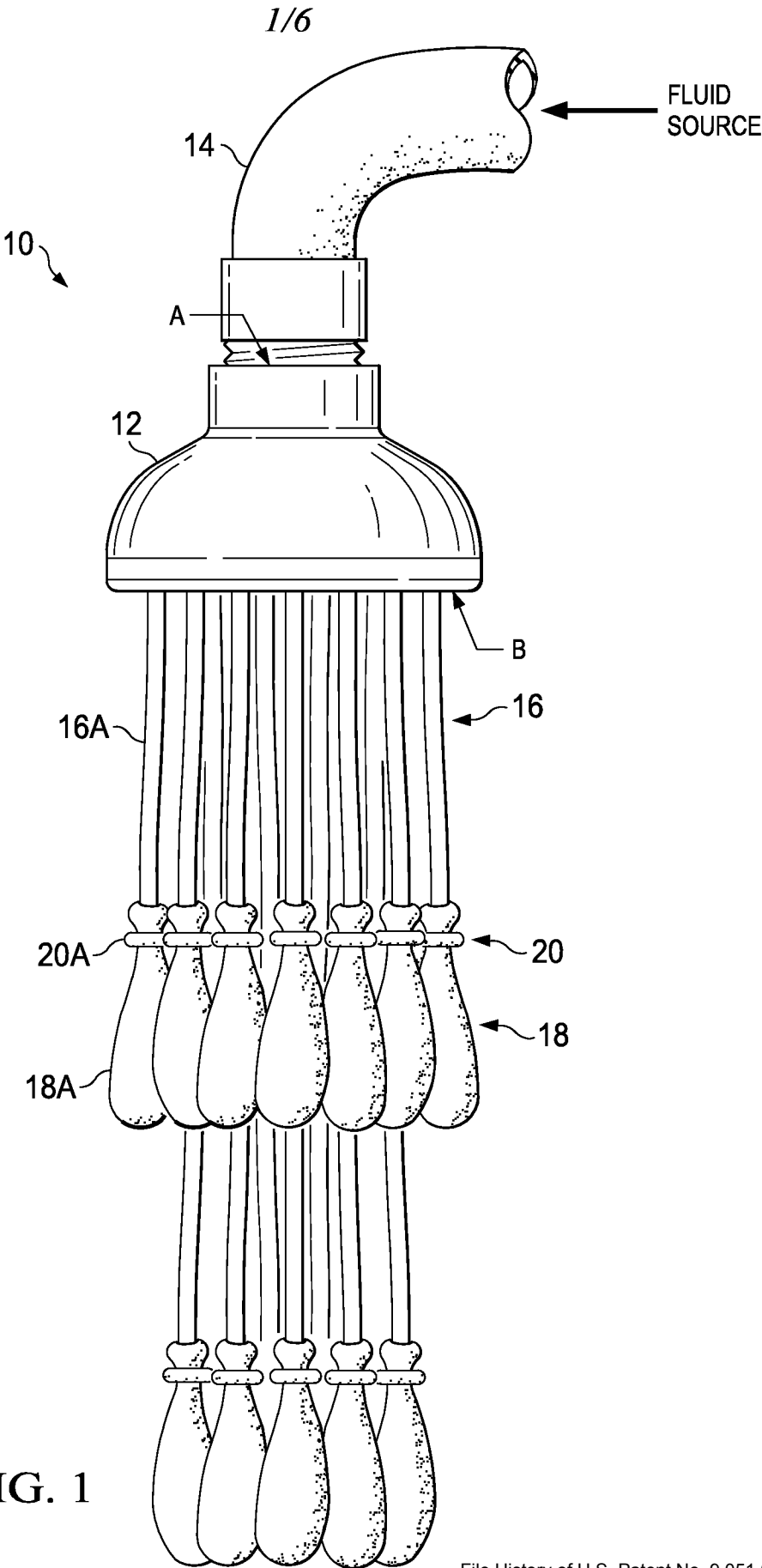
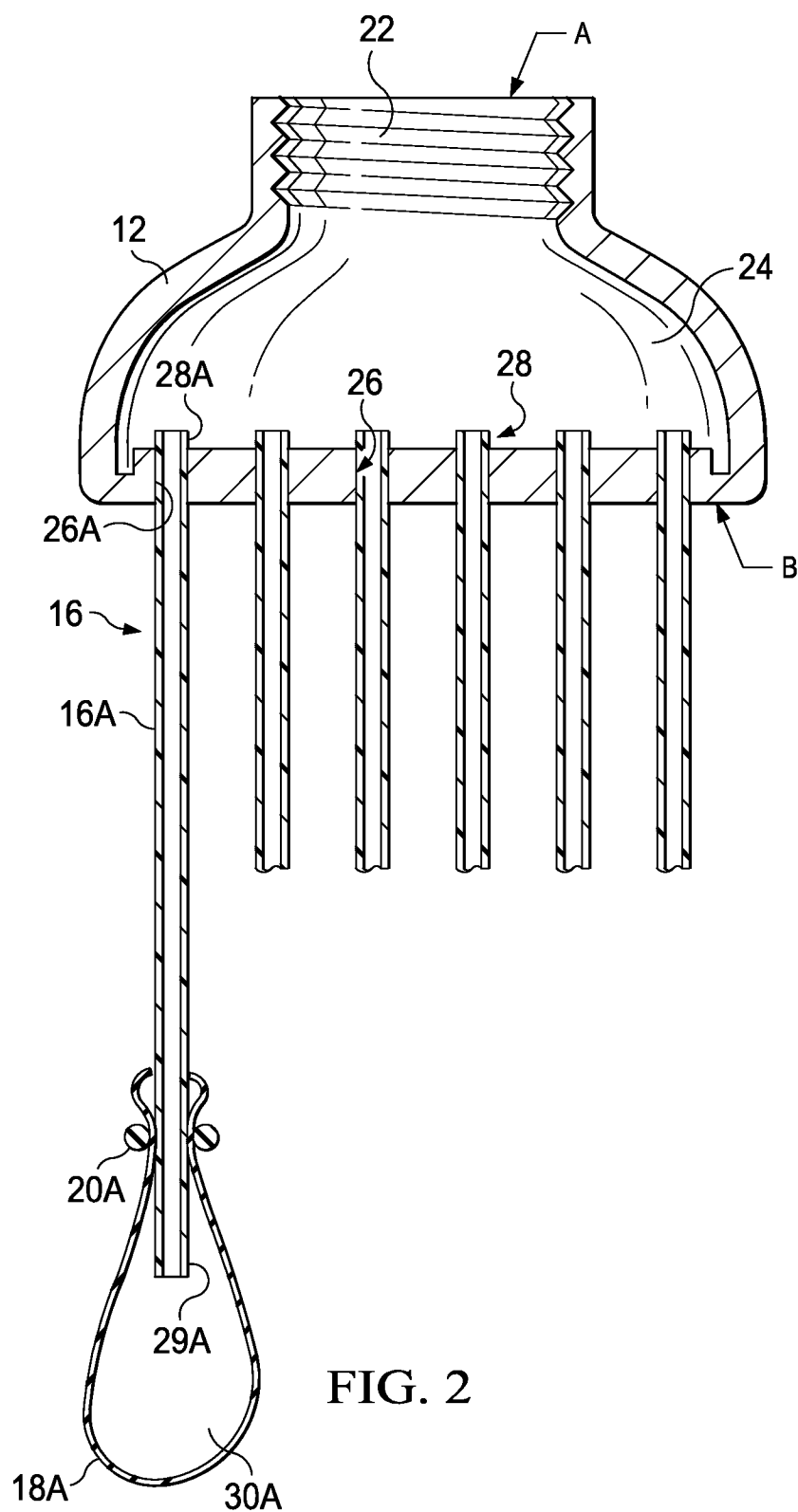
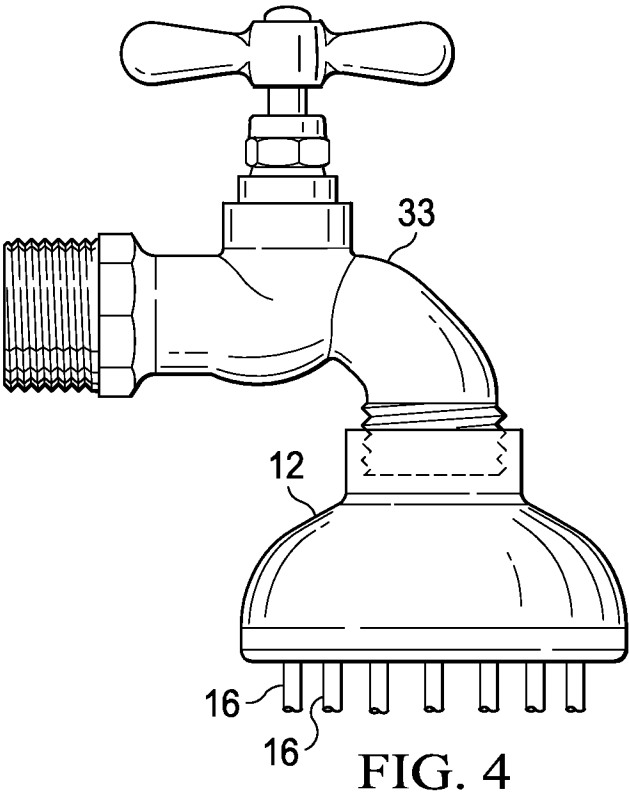
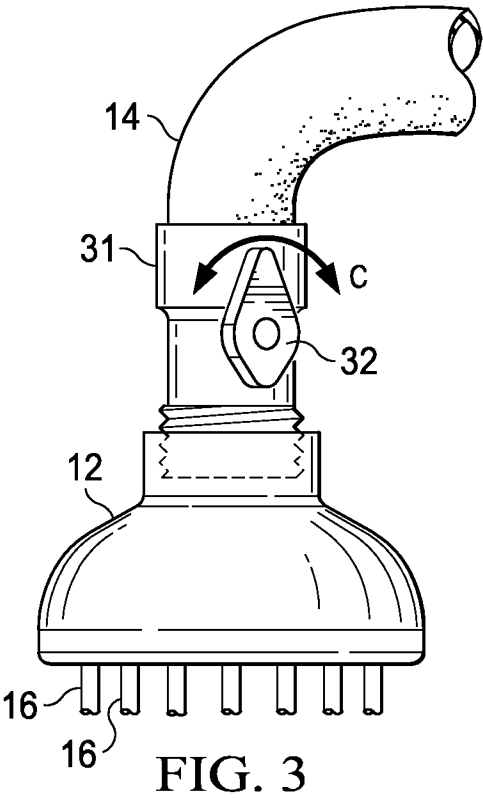


FIG. 1

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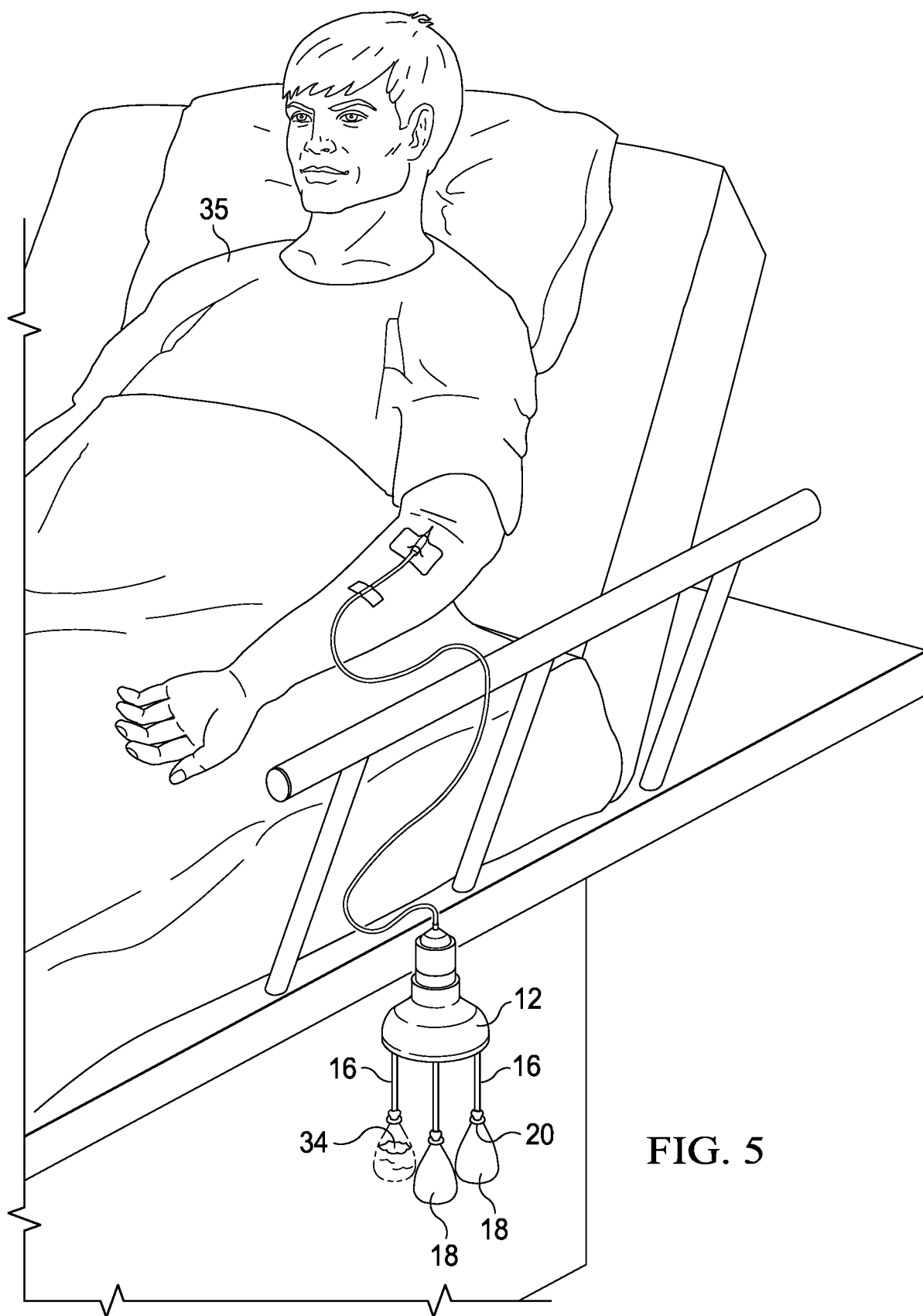
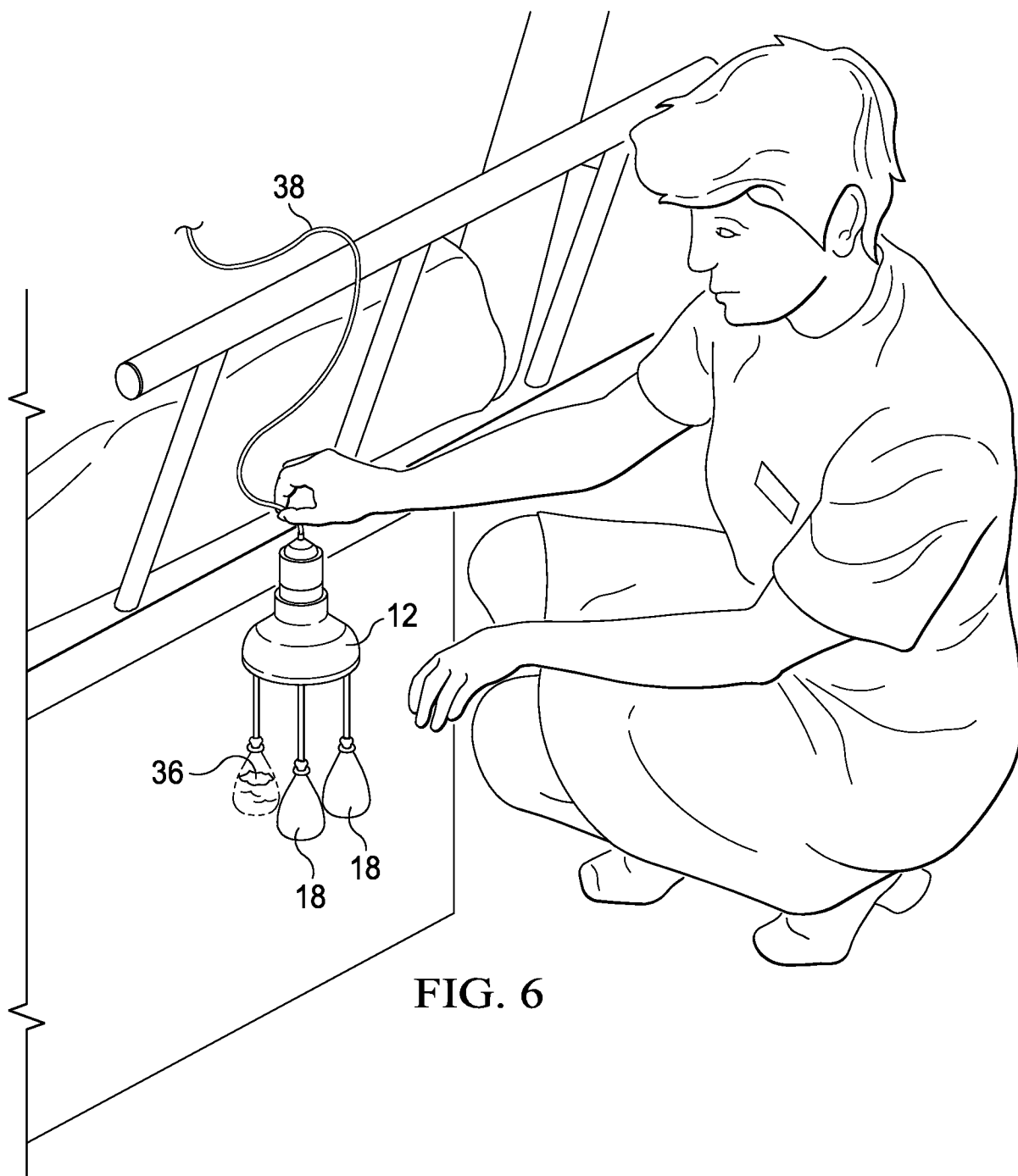


FIG. 5

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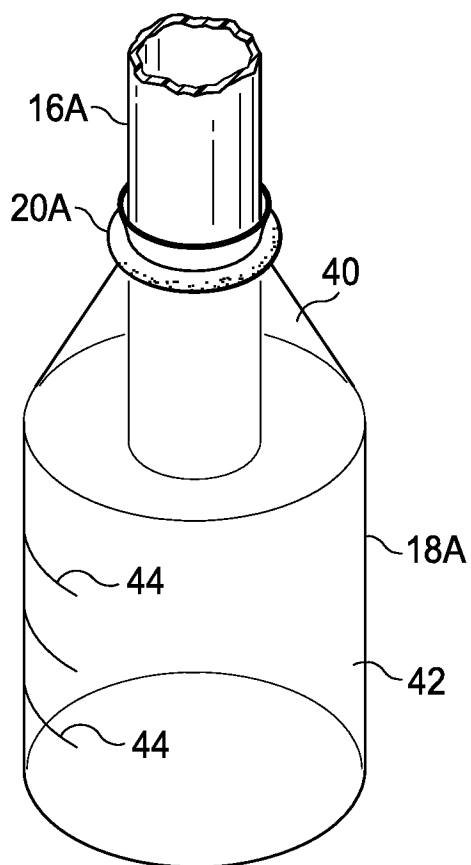


FIG. 7

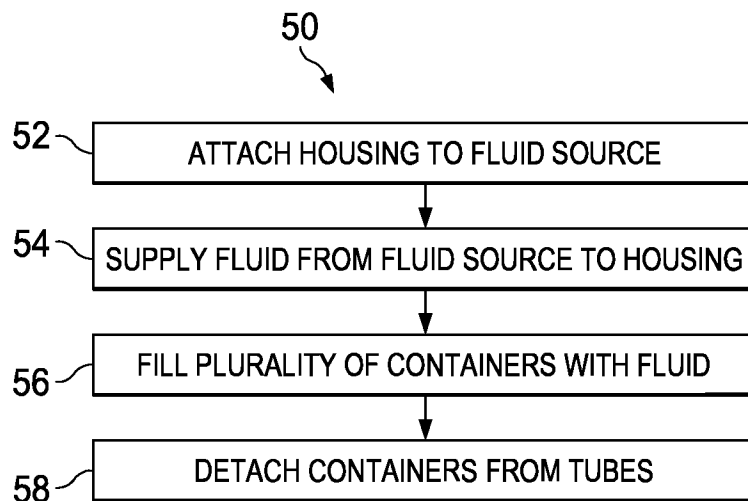


FIG. 8

## SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

### CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application claims the benefit of priority under 35 U.S.C. §119(e) to U.S. Provisional Application Serial No. 61/937,083 entitled "SYSTEM AND METHOD FOR FILLING INFLATABLE CONTAINERS WITH LIQUID" filed February 7, 2014 and to U.S. Provisional Application Serial No. 61/942,193 entitled "SYSTEM AND METHOD FOR FILLING INFLATABLE CONTAINERS WITH FLUIDS" filed February 20, 2014, which are hereby incorporated by reference in their entireties.

### TECHNICAL FIELD

[0002] The present disclosure relates generally to fluid inflatable systems and more particularly, to a system and method for filling containers with fluids.

### BACKGROUND

[0003] Inflatable containers such as balloons can be filled with a variety of fluids, such as air, helium, water, medicines, etc. In some cases, a lot of inflatable containers may need to be filled with fluids. For example, balloons used as props in conventions, large parties, etc. may number in the hundreds and may require substantial human effort to fill them all in a timely manner. In another example, water balloons used as kids' toys may need to be filled in large numbers to aid in various games. Various methods may be employed to fill such inflatable containers. For example, an individual may blow up and tie each balloon by hand or use a tank of compressed air or helium to inflate the balloon, which then has to be tied. In another example, an individual may fill water balloons with water by hand one at a time, and then tie the balloons, which can all be quite time-consuming. Moreover, the inflatable containers may be damaged or filled to different volumes.



BRIEF DESCRIPTION OF THE DRAWINGS

[0004] To provide a more complete understanding of the present disclosure and features and advantages thereof, reference is made to the following description, taken in conjunction with the accompanying figures, wherein like reference numerals represent like parts, in which:

[0005] FIGURE 1 is a simplified perspective view illustrating an example configuration of an embodiment of a system for filling containers with fluids;

[0006] FIGURE 2 is a simplified diagram illustrating a cross-sectional view of example details of an embodiment of the system;

[0007] FIGURE 3 is a simplified diagram illustrating other example details of an embodiment of the system;

[0008] FIGURE 4 is a simplified diagram illustrating yet other example details of an embodiment of the system;

[0009] FIGURE 5 is a simplified diagram illustrating yet other example details of an embodiment of the system;

[0010] FIGURE 6 is a simplified diagram illustrating yet other example details of an embodiment of the system;

[0011] FIGURE 7 is a simplified diagram illustrating yet other example details of an embodiment of the system; and

[0012] FIGURE 8 is a simplified flow diagram illustrating example operations that may be associated with an embodiment of the system.

## DETAILED DESCRIPTION OF EXAMPLE EMBODIMENTS

### OVERVIEW

[0013] An example embodiment of an apparatus includes a housing (e.g., casing, covering, etc. with a cavity inside) with an opening at a first end and a plurality of holes at a second end, a plurality of hollow tubes attached to the plurality of holes, a plurality of containers (e.g., receptacles, vessels, ampules, test-tubes, balloons, etc.) removably attached to the hollow tubes, and a plurality of elastic fasteners, each elastic fastener clamping each container to a corresponding hollow tube, such that when the containers are filled with fluid and detached from the corresponding hollow tubes, each elastic fastener seals each container with the fluid inside.

### EXAMPLE EMBODIMENTS

[0014] It is to be understood that the following disclosure describes several example embodiments for implementing different features, structures, or functions of the system. Example embodiments of components, arrangements, and configurations are described herein to simplify the present disclosure. However, these example embodiments are provided merely as examples and are not intended to limit the scope of the invention.

[0015] The present disclosure may repeat reference numerals and/or letters in the various exemplary embodiments and across the Figures provided herein. This repetitions is for the purpose of simplicity and clarity and does not in itself indicate a relationship between the various exemplary embodiments and/or configurations discussed in the various Figures.

[0016] FIGURE 1 is a simplified diagram illustrating an example embodiment of a system 10 for filling containers with fluids. System 10 includes a housing 12 removably attached to a hose 14 (e.g., tube, pipe, etc.) on a first end A and to a plurality of hollow tubes 16 on a second end B. As used herein, the term "housing" encompasses a hollow space enclosed by a rigid or semi-rigid casing (e.g., covering, skin, sleeve, sheath, etc.). In some

embodiments, end A may include a threaded opening configured to mate with corresponding threads on hose 14. In some embodiments, end A may be smaller in circumference or area than end B. Hose 14 may be connected to a fluid source, such as a water tank, gas tank, water supply line, etc. on end A. End B may include a plurality of holes (e.g., configured in an array), configured to fit tubes 16. In some embodiments, tubes 16 may be permanently attached (e.g., welded, brazed, stuck with adhesives, press-fitted, etc.) to housing 12. In other embodiments, tubes 16 may be removably attached (e.g., with threads, pressure, etc.) to housing 12.

[0017] A plurality of containers 18 may be clamped (e.g., attached, fastened, held, clinched, secured, etc.) to plurality of tubes 16 using elastic valves 20. As used herein, the term "container" refers to an object that can hold something, such as fluids. The term "valve" refers to an object that regulates, directs, or controls the flow of fluids, by opening, closing, or partially obstructing passageways of fluid flow. In an example embodiment, elastic valves 20 comprise elastic fasteners, such as O-rings. In another example embodiments, elastic valves 20 comprise corrugations, smocking, elastic fibers, etc. fabricated into the necks of containers 18 such that force is required to pull open the necks of containers 18, and removal of the force causes the necks to constrict and close. In yet another example embodiment, elastic valves comprise internal or external plugs affixed to the necks of containers 18, through which tubes 16 may be pushed through to clamp containers 18 thereto.

[0018] Note that each of containers 18 have an opening to facilitate clamping to tubes 16 and a cavity for containing fluid. For example, one end of an example tube 16A may be fitted through a hole in end B of housing 12, and the other end of tube 16A may be inserted into an example container 18A. An example elastic valve 20A (e.g., O-ring, comprising a mechanical gasket typically in a toroid shape; elastic ring, such as a rubber-band) of sufficient size to expand and clamp around tube 16A may be disposed around (e.g., placed over) a neck (e.g., portion just below opening) of container 18A, clamping and sealing container 18A to tube 16A. Thus, elastic valve 20A may be in an open configuration when container 18A is attached to tube 16A; in elastic valve 20A's open configuration, the neck of container 18A is open, allowing container 18A to fill with fluid. After container 18A is filled with fluid, it may

be removed from tube 16A, whereupon elastic valve 20A closes, thereby closing the neck of container 18A and sealing the fluid inside.

[0019] In one example embodiment, containers 18 may comprise inflatable balloons that may be filled with fluids such as water, air or helium. In another example embodiment, containers 18 may comprise flexible (e.g., stretchy, springy, etc.) elastic containers that may be filled with gaseous or liquid medications. As used herein, the term "elastic" is meant to refer to a property of a material that allows the material to resume its normal shape spontaneously after contraction, dilation, or distortion. In an example, an elastic material may be stretched to 200% of its original length, and the material may return to its original length when the stretching force is removed.

[0020] In yet another example embodiment, containers 18 may comprise flexible containers that may be filled with body fluids (e.g., urine, blood) for example, to collect multiple samples simultaneously for testing. Virtually any type and kind of fluid may be used within the broad scope of the embodiments. Note that in some embodiments, containers 18 need not be inflatable or flexible in their entireties. For example, a bottom portion of containers 18 may be inelastic (e.g., glass, plastic, metal, etc., of fixed shape and size), and a top portion may be flexible enough to be inserted around tubes 16 and clamped thereon.

[0021] When the fluid source is turned on, fluid may flow through housing 12, tubes 16 and fill containers 18. In some embodiments, when housing 12 is connected to a stream of liquid, containers 18 may be filled with the liquid. In some embodiments, the fluid may be supplied at high pressure. Virtually any mechanism that facilitates fluid flow through tubes 16 at sufficient pressure to fill containers 18 may be used within the broad scope of the embodiments. After containers 18 have reached a desired size or volume, they may be detached from tubes 16. In one example embodiment, filled containers 18 may be detached by pulling them away from tubes 16.

[0022] In another example embodiment, the connecting force holding filled containers 18 to tubes 16 may be overcome by an upward acceleration on tubes 16, for example, when they are shaken. Thus, filled containers 18 may be detached by shaking housing 12 (or tubes 16) sufficiently vigorously to cause containers 18 to fall off from tubes

16. In some embodiments, the connecting force holding filled container to its corresponding tube is not less than the weight of the filled container; in a specific embodiment, the connecting force holding each container to its corresponding tube is exactly equal to the weight of the filled container. The connecting force may be provided by a combination of constricting forces and friction forces from elastic valves 20.

[0023] In yet other embodiments, containers 18 may fall off under gravity; for example, when filled containers 18 reach a threshold weight, they slip off tubes 16 due to gravity. The threshold weight may be based upon the tightness of elastic valves 20, friction between tubes 16 and containers 18, and force from the weight of containers 18 (among other parameters). In various embodiments, containers 14 may slide off tubes 16 and elastic valves 20 may constrict the necks of containers 18, sealing them. In some embodiments, containers 18 may be marked with volumetric measurements, and fluid flow may be turned off when the fluid has filled containers 18 to a desired volume.

[0024] In some embodiments, hollow tubes 16 may be made of a rigid material (e.g., steel, glass); in other embodiments, tubes 16 may be made of a flexible material (e.g., thin plastic). In some embodiments, tubes 16 may be thick, short and rigid; in other embodiments, tubes 16 may be slender, long and flexible. Thus, hollow tubes 16 may be flexible, semi-rigid, or rigid, based on its material of construction, design, or a combination thereof. Note that tubes 16 may be of different lengths, for example, to prevent crowding and to accommodate a larger number of containers 18 than would be possible if tubes 16 were of the same length. Thus, at least some of hollow tubes 16 may be of different lengths than the others.

[0025] Also, tubes 16 may be flexible to enable containers 18 to expand. Thus, as containers 18 fill with fluid and expand, they may push against each other, flexing tubes 16. The outermost tubes 16 may be flexed more than the innermost tubes 16 (outer and inner being in reference to a center-point of housing 12, with the inner tubes 16 being closer to the center-point, and the outer tubes 16 being farther from the center-point).

[0026] Turning to FIGURE 2, FIGURE 2 is a simplified cross-sectional view of a portion of an embodiment of system 10. Housing 12 comprises a threaded opening 22 at end A, an internal cavity 24, and an array of holes 26 at end B. Internal cavity 24 facilitates distributing

the fluid entering at threaded opening 22 to array of holes 26 at end B. In some embodiments, threaded opening 22 may be configured for attaching to a fluid supply hose 14 (e.g., garden hose, plastic tube, etc.). In other embodiments, threaded opening 22 may be attached to corresponding threads in a valve. Array of holes 26 may be configured for connecting first ends 28 of tubes 16 by any suitable means. In some embodiments, first ends 28 of tubes 16 may be connected to corresponding holes 26 by compressing or gluing. In some embodiments, a number of holes 26 in housing 12 and a number of tubes 16 can correspond to a number of containers 18 that are desired to be filled and sealed substantially simultaneously.

[0027] To clarify further, only one example tube 16A is shown in the figure. A first end 28A of tube 16A is fitted through a corresponding hole 26A in housing 12. A second end 29A of tube 16A is inserted into container 18A. Elastic valve 20A may be placed around the neck of container 18A clamping the neck to tube 16A. An internal volume 30A of container 18A may be filled with fluid appropriately.

[0028] To fill and seal containers 18, housing 12 may be attached to a fluid supply tube (e.g., garden hose) and the fluid supply may be turned on. The fluid enters housing 12, is distributed to holes 26, travels down tubes 16, and fills containers 18. Containers 18 may be filled and may expand substantially simultaneously. When containers 18 have reached a desired size and/or they are filled with the desired volume of fluid, they may be removed from tubes 16. They can be removed by falling off, by shaking them off, by pulling them off by hand, etc. As each container 18A is removed from corresponding tube 16A, respective elastic valve 20A may constrict and close the neck of container 18A, sealing it with the fluid inside.

[0029] Turning to FIGURE 3, FIGURE 3 is a simplified diagram illustrating example details of a valve 31 that may be attached between hose 14 and housing 12 according to an embodiment of system 10. One end of valve 31 may be attached to hose 14 and the other end may be attached to threaded opening 22 of housing 12 (e.g., using threads). A lever 32 may be turned from one side (of valve 31) to another (e.g., as indicated by arrow C) to turn on and turn off fluid flow to housing 12. For example, to turn on the fluid flow, lever 32 may

be turned to a first position; lever 32 may be turned to a second position (e.g., different from the first position) to turn off fluid flow.

[0030] Turning to FIGURE 4, FIGURE 4 is a simplified diagram illustrating example details of an embodiment of system 10. Housing 12 may be attached to a spigot 33 (e.g., nozzle, faucet, outlet, etc.) that connects to the fluid source. Spigot 33 may be turned on or turned off to start or stop fluid flow to housing 12.

[0031] Turning to FIGURE 5, FIGURE 5 is a simplified diagram illustrating example details of an application of an embodiment of system 10. Embodiments of system 10 may be used in a variety of applications, such as for collecting numerous blood samples substantially simultaneously. Blood 34 may be drawn from a human (or animal) and blood 34 may collect substantially simultaneously in plurality of containers 18. The substantial simultaneous collection of blood in such manner can ease patient pain, speed up sampling time, and enable taking multiple samples substantially simultaneously without cross-contamination from one container to another or messy transfers between containers.

[0032] Turning to FIGURE 6, FIGURE 6 is a simplified diagram illustrating example details of an application of an embodiment of system 10. Embodiments of system 10 may be used in a variety of applications, such as for collecting numerous urine samples substantially simultaneously. Urine 36 may be drawn from a human (or animal) through a suitable catheter 38, and may collect substantially simultaneously in plurality of containers 18.

[0033] Turning to FIGURE 7, FIGURE 7 is a simplified diagram illustrating example details of an embodiment of system 10. Example container 18A may comprise a flexible portion 40 and an inflexible portion 42. Flexible portion 40 may be clamped on to example tube 16A using example elastic valve 20A. In some embodiments, container 18A may comprise volumetric measurement markings 44. When fluid fills container 18A to a desired volume, for example, as indicated by volumetric measurement marking 44, container 18A may be detached from tube 16A, whereupon elastic valve 20A may close container 18A, sealing the fluid inside.

[0034] Turning to FIGURE 8, FIGURE 8 is a simplified flow diagram 50 illustrating example operations that may be associated with an embodiment of system 10. At 52, housing

12 may be attached to a fluid source (e.g., through hose 14, spigot 33, etc.) At 54, fluid may be supplied from the fluid source to housing 12. At 56, plurality of containers 18 may be filled with the fluid. At 58, containers 18 may be detached from corresponding tubes 16.

[0035] Note that in this Specification, references to various features (e.g., elements, structures, modules, components, steps, operations, characteristics, etc.) included in “one embodiment”, “example embodiment”, “an embodiment”, “another embodiment”, “some embodiments”, “various embodiments”, “other embodiments”, “alternative embodiment”, and the like are intended to mean that any such features are included in one or more embodiments of the present disclosure, but may or may not necessarily be combined in the same embodiments.

[0036] The elements described herein may be made of any suitable materials, including metal (e.g., stainless steel, copper, brass, bronze, aluminum, etc.), plastic, glass, elastomers, or any suitable combination thereof. Each element may also be made of a combination of different materials (e.g., housing and tubes may be made of plastic and containers may be made of elastic rubber; housing and tubes may be made of stainless steel and containers may be made of a combination of glass and flexible plastic; etc.). Any suitable material or combination of materials may be used for the components described herein without departing from the broad scope of the present disclosure.

[0037] In addition, the shapes shown and illustrated in the various FIGURES are for example purposes only. Various other shapes may be used herein without changing the scope of the present disclosure. For example, housing 12 may be conical, cylindrical, pyramidal, etc., without departing from the broad scope of the embodiments. Likewise, tubes 16 may be rigid, or flexible 18 without departing from the scope of the broad embodiments.

[0038] While the disclosure references several particular embodiments, those skilled in the art will be able to make various modifications to the described embodiments without departing from the true spirit and scope of the disclosure. It is intended that all elements or steps which are insubstantially different from those recited in the claims but perform substantially the same functions, respectively, in substantially the same way to achieve the same result as what is claimed are within the scope of the disclosure.



WHAT IS CLAIMED IS:

1. An apparatus comprising:  
a housing with an opening at a first end and a plurality of holes at a second end;  
a plurality of hollow tubes attached to the plurality of holes;  
a plurality of containers removably attached to the hollow tubes; and  
a plurality of elastic fasteners, each elastic fastener clamping each container to a corresponding hollow tube, wherein when the containers are filled with fluid and detached from the corresponding hollow tubes, each elastic fastener seals each container with the fluid inside.
2. The apparatus of Claim 1, wherein the containers are substantially simultaneously filled with the fluid.
3. The apparatus of Claim 1, wherein the first end of the housing is smaller in circumference than the second end.
4. The apparatus of Claim 1, wherein the housing includes a threaded opening at the first end.
5. The apparatus of Claim 1, wherein the containers comprise inflatable balloons.
6. The apparatus of Claim 1, wherein the containers comprise a flexible portion and an inflexible portion, wherein the flexible portion is clamped to the hollow tubes with the elastic fasteners.
7. The apparatus of Claim 1, wherein the containers include volumetric measurement markings, wherein the fluid flow to the housing is stopped when the containers are filled to a desired volume as indicated by the volumetric measurement markings.

8. The apparatus of Claim 1, wherein the fluid comprises water.
9. The apparatus of Claim 1, wherein the fluid comprises at least one of air and helium.
10. The apparatus of Claim 1, wherein each elastic fastener comprises an O-ring.
11. The apparatus of Claim 1, wherein the hollow tubes are flexible.
12. The apparatus of Claim 1, wherein at least some of the hollow tubes are of different lengths than the others.
13. The apparatus of Claim 1, wherein the housing is attached to a valve coupled to a fluid source, wherein when the valve is turned on, fluid from the fluid source flows through the housing and the tubes and fills the containers.
14. The apparatus of Claim 13, wherein the valve includes a lever that can be turned to a first position to turn on the valve and allow fluid flow to the housing, wherein the lever can be turned to a second position to turn off the valve and stop fluid flow to the housing.
15. The apparatus of Claim 13, wherein one end of the valve is connected to a hose attached to a water supply, and the other end is threaded to the housing.

16. A method, comprising:

attaching a housing to a fluid source, wherein the housing comprises a threaded opening at a first end and a plurality of holes at a second end, wherein a plurality of hollow tubes are attached to the plurality of holes, wherein a plurality of containers are removably attached to the plurality of hollow tubes, wherein an elastic fastener clamps each container to a corresponding one of the hollow tubes;

supplying a fluid from the fluid source to the housing; and

substantially simultaneously filling the plurality of containers with the fluid.

17. The method of Claim 16, further comprising detaching the plurality of containers from the plurality of hollow tubes, wherein when each container is detached from the corresponding hollow tube, the elastic fastener seals the containers with the fluid inside.

18. The method of Claim 16, wherein the detaching comprises shaking the housing until the plurality of containers slip down the hollow tubes.

19. The method of Claim 16, wherein the detaching comprises pulling away the containers from the hollow tubes.

20. The method of Claim 16, wherein when the filled containers reach a threshold weight, the containers slip off the hollow tubes.

21. An apparatus comprising at least one tube joined to at least one elastic container by an open elastic valve, wherein the tube facilitates filling the elastic container with a fluid, wherein when the elastic container is removed from the tube, the elastic valve closes to seal the fluid inside the elastic container.

22. The apparatus of Claim 21, wherein the elastic valve comprises an elastic ring disposed around a neck of the elastic container.

23. An apparatus comprising a plurality of flexible tubes, each flexible tube joined to a balloon, wherein the flexible tubes facilitate filling the balloons with a fluid, wherein the flexible tubes can flex to allow the balloons to expand.

24. The apparatus of Claim 23, wherein the flexible tubes are of different lengths.

25. An apparatus comprising:

a plurality of hollow tubes, each hollow tube connected to a housing; and

a plurality of elastic containers connected to the hollow tubes, wherein when the housing is connected to a stream of liquid, the elastic containers are filled with the liquid.

26. A balloon filling apparatus for filling a plurality of balloons substantially simultaneously, comprising a plurality of tubes, wherein each balloon is connected to one of the tubes with a connecting force not less than a weight of the filled balloon, wherein an upward acceleration on the tube overcomes the connecting force, allowing the balloon to fall off.

27. The balloon filling apparatus of Claim 26, wherein the connecting force is exactly equal to the weight of the filled balloon.

28. The balloon filling apparatus of Claim 26, wherein the connecting force is provided by an elastic valve.

ATTORNEY'S DOCKET

PATENT APPLICATION

02-14224

14

#### **ABSTRACT**

An example embodiment of an apparatus includes a housing with an opening at a first end and a plurality of holes at a second end, a plurality of hollow tubes attached to the plurality of holes, a plurality of containers removably attached to the hollow tubes, and a plurality of elastic fasteners, each elastic fastener clamping each container to a corresponding hollow tube, such that when the containers are filled with fluid and detached from the corresponding hollow tubes, each elastic fastener seals each container with the fluid inside.

# DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of  
Invention

SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

As the below named inventor, I hereby declare that:

This declaration  
is directed to:



The attached application, or



United States application or PCT international application number \_\_\_\_\_  
filed on \_\_\_\_\_

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001  
by fine or imprisonment of not more than five (5) years, or both.

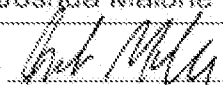
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## LEGAL NAME OF INVENTOR

Inventor: Joshua Malone

Date (Optional): \_\_\_\_\_

Signature: 

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	§	Attorney Docket No. 02-14224
Joshua Malone	§	Customer No. 96658
Filed: Herewith	§	Group Art Unit: To be determined
For: SYSTEM AND METHOD FOR FILLING	§	Examiner: To be determined
CONTAINERS WITH FLUIDS	§	

**PATENT ASSIGNMENT**

I (We), the undersigned inventor(s), for good and valuable consideration, the receipt of which is hereby acknowledged, hereby:

1. Assign to Tinnus Enterprises, LLC, a Texas limited liability company (hereinafter "Assignee") the entire right, title and interest throughout the United States of America, its Territories, Possessions, and Puerto Rico, in and to the above-entitled invention and application for patent and all Letters Patents issuing thereon, and any continuation, continuation-in-part or division of the application and any reissue or extension of the Letters Patents.
2. Agree to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of the application or any other patent applications in the United States for the invention, including additional documents that may be required to affirm the rights of Assignee in and to the invention, all without further consideration.
3. Authorize and request the Commissioner of Patents and Trademarks of the United States to issue any and all Letters Patent that may be granted upon any patent application or any additional, continuing or divisional applications thereof to the Assignee, its successors and assigns.

Signature of Inventor: 

Typed or printed Name: Joshua Malone

Address: 3429 18th Street, Plano, TX 75074

Date: 2014-09-22

<b>Electronic Patent Application Fee Transmittal</b>				
<b>Application Number:</b>				
<b>Filing Date:</b>				
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS			
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE			
<b>Filer:</b>	Manjula Variyam			
<b>Attorney Docket Number:</b>	02-14224			
Filed as Small Entity				
<b>Track I Prioritized Examination - Nonprovisional Application under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360
Request for Prioritized Examination	2817	1	2000	2000
<b>Pages:</b>				
<b>Claims:</b>				
Claims in excess of 20	2202	8	40	320
Independent Claims in Excess of 3	2201	3	210	630



Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous-Filing:</b>				
Publ. Fee- Early, Voluntary, or Normal	1504	1	0	0
PROCESSING FEE, EXCEPT PROV. APPLS.	2830	1	70	70
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>3750</b>

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	20204093
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	96658
<b>Filer:</b>	Manjula Variyam
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	22-SEP-2014
<b>Filing Date:</b>	
<b>Time Stamp:</b>	14:31:41
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

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Payment was successfully received in RAM	\$3750
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part / .zip	Pages (if appl.)
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Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 115 of 360 PageID #: 2175					
1	Application Data Sheet	WebADS.pdf	100502 748e988ff4a571b6c360e762bb0058f21c5dd315	no	5
Warnings:					
Information:					
2	TrackOne Request	PrioritizedExamination.pdf	113871 dc839ce80836d1541f905ad9dba2b9113442efea	no	2
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Information:					
3	Drawings-only black and white line drawings	Drawings.pdf	131099 27cd1fa6c70063bfc378be1a10b57952145db72a	no	6
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4		Specification_Claims_Abstract.pdf	94194 b7cc7d8e891108cbedb8d6eaa8357d5a9888f6	yes	14
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	Specification		1	9	
	Claims		10	13	
	Abstract		14	14	
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5	Oath or Declaration filed	declaration.pdf	162278 fa94f0646916b955c395ac2773bbb7ee5aa584d7	no	1
Warnings:					
Information:					
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Warnings:					
Information:					
7	Fee Worksheet (SB06)	fee-info.pdf	43169 12ec9fff1adb58109572190f913b2b6c68e240da	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			File History of U.S. Patent No. 9,051,066 Page 28 of 273		

This Acknowledgement Receipt evidences receipt on the ~~2170~~ date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	02-14224
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

## Secrecy Order 37 CFR 5.2

<input type="checkbox"/>	Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2(Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
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## Inventor Information:

Inventor 1						<a href="#">Remove</a>	
Legal Name							
Prefix	Given Name	Middle Name		Family Name		Suffix	
	JOSHUA			MALONE			
Residence Information (Select One)		<input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service					
City	PLANO	State/Province	TX	Country of Residence		US	
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Address 2							
City	PLANO	State/Province		TX			
Postal Code	75074	Country		i		US	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the <b>Add</b> button. <a href="#">Add</a>							

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<input type="checkbox"/> An Address is being provided for the correspondence information of this application.			
Customer Number	96658		
Email Address	manjula@variyamlawfirm.com		<a href="#">Add Email</a> <a href="#">Remove Email</a>

## Application Information:

Title of the Invention	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		
Attorney Docket Number	02-14224	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	6	Suggested Figure for Publication (if any)	1

## Filing By Reference

File History of U.S. Patent No. 9,051,066  
Page 30 of 273

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	02-14224
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

### Publication Information:

<input type="checkbox"/>	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input checked="" type="checkbox"/>	<b>Request Not to Publish.</b> I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application <b>has not and will not</b> be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

### Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.											
<table border="1"> <tr> <td>Please Select One:</td> <td><input checked="" type="radio"/> Customer Number</td> <td><input type="radio"/> US Patent Practitioner</td> <td><input type="radio"/> Limited Recognition (37 CFR 11.9)</td> </tr> <tr> <td>Customer Number</td> <td colspan="3">96658</td> </tr> </table>				Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)	Customer Number	96658		
Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)								
Customer Number	96658										
Additional Representative Information blocks may be generated within this form by selecting the <b>Add</b> button.											

### Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.			
Prior Application Status	Pending	<a href="#">Remove</a>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Claims benefit of provisional	61942193	2014-02-20
Prior Application Status	Pending	<a href="#">Remove</a>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Claims benefit of provisional	61937083	2014-02-07
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the <b>Add</b> button.			

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	02-14224
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		

## Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX) the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			<a href="#">Remove</a>
Application Number	Country	Filing Date (YYYY-MM-DD)	Access Code (if applicable)

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

## Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

## Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices

<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	02-14224
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.

## Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

**Applicant 1**

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

<input checked="" type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117	<input type="radio"/> Joint Inventor
<input type="radio"/> Person to whom the inventor is obligated to assign.	<input type="radio"/> Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :

If the Applicant is an Organization check here. ☒

Organization Name	TINNUS ENTERPRISES, LLC		
-------------------	-------------------------	--	--

**Mailing Address Information:**

Address 1	3429 18TH STREET		
Address 2			
City	PLANO	State/Province	TX
Country i	US	Postal Code	75074
Phone Number		Fax Number	



<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	02-14224
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		

Email Address	
---------------	--

Additional Applicant Data may be generated within this form by selecting the Add button.

## Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

<b>Assignee 1</b>				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Assignee including Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

## Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications					
Signature	/MANJULA VARIYAM/				
First Name	MANJULA	Last Name	VARIYAM	Registration Number	62982
Additional Signature may be generated within this form by selecting the Add button.					

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA/82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	14492487
Filing Date	09/22/2014
First Named Inventor	JOSHUA MALONE
Title	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
Art Unit	
Examiner Name	
Attorney Docket Number	02-14224

### SIGNATURE of Applicant or Patent Practitioner

Signature	/MANJULA VARIYAM/	Date (Optional)	09/22/2014
Name	MANJULA VARIYAM	Registration Number	62982
Title (if Applicant is a juristic entity)	ATTORNEY OF RECORD		
Applicant Name (if Applicant is a juristic entity)	TINNUS ENTERPRISES, LLC		

**NOTE:** This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number

Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☒ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above

96658

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☒ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Tinnus Enterprises, LLC

- ☐ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

### SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature

Date (Optional)

2/7/14

Name

Joshua Malone

Title

Managing Member, Tinnus Enterprises, LLC

**NOTE:** Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.331, 1.332, and 1.333. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and File History of U.S. Patent No. 9,051,066

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	20204454
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	96658
<b>Filer:</b>	Manjula Variyam
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	22-SEP-2014
<b>Filing Date:</b>	
<b>Time Stamp:</b>	14:45:16
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
------------------------	----

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA.pdf	996041 d3d7bd1f423d0cf3a859876b633792ecf29c6cb8	no	2

**Warnings:****Information:**

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875						Application or Docket Number 14/492,487			
<b>APPLICATION AS FILED - PART I</b>									
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	300		N/A			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A			
TOTAL CLAIMS (37 CFR 1.16(j))	28	minus 20 = *	8	x 40 =	320				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	6	minus 3 = *	3	x 210 =	630				
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				0.00				
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					0.00				
				TOTAL	1680	TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.									
<b>APPLICATION AS AMENDED - PART II</b>									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
	Total (37 CFR 1.16(i))	*	Minus **	=	x =		x =		
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =		x =		
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
				TOTAL ADD'L FEE		TOTAL ADD'L FEE			
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
	Total (37 CFR 1.16(i))	*	Minus **	=	x =		x =		
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =		x =		
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
				TOTAL ADD'L FEE		TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.									



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
14/492,487	09/22/2014	3728	1680	02-14224	28	6

CONFIRMATION NO. 4365

96658  
Variyam Law Firm, PLLC  
2117 Country Club Drive  
Plano, TX 75074

FILING RECEIPT



Date Mailed: 09/30/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

JOSHUA MALONE, PLANO, TX;

Applicant(s)

TINNUS ENTERPRISES, LLC, PLANO, TX

**Power of Attorney:** The patent practitioners associated with Customer Number 96658

**Domestic Priority data as claimed by applicant**

This appln claims benefit of 61/942,193 02/20/2014  
and claims benefit of 61/937,083 02/07/2014

**Foreign Applications** for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

*Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.*

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

**If Required, Foreign Filing License Granted:** 09/26/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/492,487**

**Projected Publication Date:** Request for Non-Publication Acknowledged

**Non-Publication Request:** Yes

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

**Preliminary Class**

206

**Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No**

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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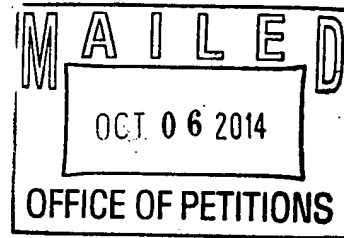
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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.



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Alexandria, VA 22313-1450  
www.uspto.gov



VARIYAM LAW FIRM, PLLC  
2117 COUNTRY CLUB DRIVE  
PLANO TX 75074

Doc Code: TRACK1.DENY

**Decision Dismissing Request for  
Prioritized Examination (Track I)**

Application No.: 14/492,487

1. THE REQUEST FILED September 22, 2014 IS **DISMISSED** BECAUSE:

- A. ☐ The application is not a utility application under 35 U.S.C. 111(a) filed by EFS-Web or a plant application under 35 U.S.C. 111(a) filed by paper:
- i. ☐ The application is a utility application that was not filed by EFS-Web.
  - ii. ☐ The application is neither a utility application nor a plant application, but rather is a \_\_\_\_\_, which is excluded from the Track I program.
- B. ☐ The request was not filed with the application or on the same date the application was filed.
- C. ☐ One or more of the following fees were not filed with the application or on the same date the application was filed:
- i. ☐ Basic filing fee, as set forth in 37 CFR 1.16(a), or for a plant application, 37 CFR 1.16(c).
  - ii. ☐ Search fee, as set forth in 37 CFR 1.16(k), or for a plant application, 37 CFR 1.16(m).
  - iii. ☐ Examination fee, as set forth in 37 CFR 1.16(o), or for a plant application, 37 CFR 1.16(q).
  - iv. ☐ Publication fee, as set forth in 37 CFR 1.18(d).
  - v. ☐ Track I processing fee, as set forth in 37 CFR 1.17(i).
  - vi. ☐ Track I prioritized examination fee, as set forth in 37 CFR 1.17(c).
- D. ☐ The executed inventor's oath or declaration, or an application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) was not filed with the application or on the same date the application was filed.
- E. ☒ The application contains or has been amended to contain:
- i. ☒ More than four independent claims.
  - ii. ☐ More than thirty total claims.
  - iii. ☐ One or more multiple dependent claims.
- F. ☐ The Track I program has exceeded its limit of 10,000 requests for the current fiscal year.
- G. ☐ Other: \_\_\_\_\_

Application No.: 14/492,487

Page 2

2. CONCLUSION

☒ **ALL** of the above defect(s) consist only of one or more of items E (i-iii). Applicant is hereby accorded a non-extendable ONE MONTH time period from the mailing date of this Decision to (1) correct the subject defect(s) and (2) file a petition under 37 CFR 1.181 requesting reconsideration of prioritized examination. If no such petition is timely filed, the application will not undergo prioritized examination.

-OR-

☐ The application will not undergo prioritized examination, because the request was not accompanied by all of the required items.

Telephone inquiries with regard to this decision should be directed to **Michelle R. Eason** at 571-272-4231. In his/her absence, calls may be directed to Brian W. Brown at (571) 272-5338.

/Michelle R. Eason/  
(Signature)

Paralegal Specialist, Office of Petitions  
(Title)

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Josh Malone  
Serial No.: 14/492,487  
Filing Date: Sep. 22, 2014  
Confirmation No.: 4365  
Group Art Unit: 3728  
Examiner: Not yet assigned  
Title: *System and Method for Filling Containers with Fluids*

**MAIL STOP PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

PETITION UNDER 37 C.F.R. §1.181

Pursuant to 37 C.F.R. §1.181, Applicants respectfully requests reconsideration of prioritized examination.

Applicant's request for Track I prioritized examination was denied because the application had more than four independent claims. Applicant is herewith amending the application to delete independent claims in excess of four. Accordingly, Applicant respectfully requests the granting of this Petition for reconsideration of prioritized examination.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

2

Should there be any outstanding matters that need to be resolved in the present application, please contact Applicant's attorney Manjula Variyam at (214) 226-3148. No additional fees are believed to be due.

Respectfully submitted,  
Variyam Law Firm, PLLC  
Attorney for Applicant

/Manjula Variyam/  
Manjula Variyam  
Reg. No. 62,982

Date: October 14, 2014

Customer No. **96658**

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Josh Malone  
Serial No.: 14/492,487  
Filing Date: Sep. 22, 2014  
Confirmation No.: 4365  
Group Art Unit: 3728  
Examiner: Not yet assigned  
Title: *System and Method for Filling Containers with Fluids*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

PRELIMINARY AMENDMENT

Prior to examination, please amend the Application as indicated on the following pages.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

2

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.  
Please amend the claims as follows:

1. (Original) An apparatus comprising:  
a housing with an opening at a first end and a plurality of holes at a second end;  
a plurality of hollow tubes attached to the plurality of holes;  
a plurality of containers removably attached to the hollow tubes; and  
a plurality of elastic fasteners, each elastic fastener clamping each container to a corresponding hollow tube, wherein when the containers are filled with fluid and detached from the corresponding hollow tubes, each elastic fastener seals each container with the fluid inside.
2. (Original) The apparatus of Claim 1, wherein the containers are substantially simultaneously filled with the fluid.
3. (Original) The apparatus of Claim 1, wherein the first end of the housing is smaller in circumference than the second end.
4. (Original) The apparatus of Claim 1, wherein the housing includes a threaded opening at the first end.
5. (Original) The apparatus of Claim 1, wherein the containers comprise inflatable balloons.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

3

6. (Original) The apparatus of Claim 1, wherein the containers comprise a flexible portion and an inflexible portion, wherein the flexible portion is clamped to the hollow tubes with the elastic fasteners.

7. (Original) The apparatus of Claim 1, wherein the containers include volumetric measurement markings, wherein the fluid flow to the housing is stopped when the containers are filled to a desired volume as indicated by the volumetric measurement markings.

8. (Original) The apparatus of Claim 1, wherein the fluid comprises water.

9. (Original) The apparatus of Claim 1, wherein the fluid comprises at least one of air and helium.

10. (Original) The apparatus of Claim 1, wherein each elastic fastener comprises an O-ring.

11. (Original) The apparatus of Claim 1, wherein the hollow tubes are flexible.

12. (Original) The apparatus of Claim 1, wherein at least some of the hollow tubes are of different lengths than the others.



ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

4

13. (Original) The apparatus of Claim 1, wherein the housing is attached to a valve coupled to a fluid source, wherein when the valve is turned on, fluid from the fluid source flows through the housing and the tubes and fills the containers.

14. (Original) The apparatus of Claim 13, wherein the valve includes a lever that can be turned to a first position to turn on the valve and allow fluid flow to the housing, wherein the lever can be turned to a second position to turn off the value and stop fluid flow to the housing.

15. (Original) The apparatus of Claim 13, wherein one end of the valve is connected to a hose attached to a water supply, and the other end is threaded to the housing.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

5

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Canceled)

20. (Canceled)

21. (Original) An apparatus comprising at least one tube joined to at least one elastic container by an open elastic valve, wherein the tube facilitates filling the elastic container with a fluid, wherein when the elastic container is removed from the tube, the elastic valve closes to seal the fluid inside the elastic container.

22. (Original) The apparatus of Claim 21, wherein the elastic valve comprises an elastic ring disposed around a neck of the elastic container.

23. (Original) An apparatus comprising a plurality of flexible tubes, each flexible tube joined to a balloon, wherein the flexible tubes facilitate filling the balloons with a fluid, wherein the flexible tubes can flex to allow the balloons to expand.

24. (Original) The apparatus of Claim 23, wherein the flexible tubes are of different lengths.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

6

25. (Canceled)

26. (Original) A balloon filling apparatus for filling a plurality of balloons substantially simultaneously, comprising a plurality of tubes, wherein each balloon is connected to one of the tubes with a connecting force not less than a weight of the filled balloon, wherein an upward acceleration on the tube overcomes the connecting force, allowing the balloon to fall off.

27. (Original) The balloon filling apparatus of Claim 26, wherein the connecting force is exactly equal to the weight of the filled balloon.

28. (Original) The balloon filling apparatus of Claim 26, wherein the connecting force is provided by an elastic valve.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

7

REMARKS

Claims 1-28 were originally filed in the application. Claims 16-20 and 25 are cancelled herein. Accordingly claims 1-15, 16-24, and 26-28 are currently pending. No new matter has been added with the amendments to the claims.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

8

CONCLUSION

Applicant respectfully asks that the application be examined in view of the amendments to the claims.

It is believed that no other fee is due at this time.

Respectfully submitted,  
Variyam Law Firm, PLLC  
Attorney for Applicant

/DRAFT/\_\_\_\_\_

Manjula Variyam  
Reg. No. 62,982

Date: Oct. 14, 2014

**Customer No. 96658**

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	20406587
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	96658
<b>Filer:</b>	Manjula Variyam
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	14-OCT-2014
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	12:59:42
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions.	2014_10_13-Petition-CFR-1-181-Reconsideration.pdf	46609 73f91f5e5646bbc8f724aff30b579ff4e17f030b	no	2

**Warnings:****Information:**

Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 143 of 360 PageID #:				
2	Preliminary Amendment	2203 2014-13-Preliminary-Amendment.pdf	59260 a55579e276ca88d7456ad7afb79292e0b29db64	no 8
<b>Warnings:</b>				
<b>Information:</b>				
<b>Total Files Size (in bytes):</b>			105869	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>				

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>14/492,487</b>	Filing Date <b>09/22/2014</b>	<input type="checkbox"/> To be Mailed
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ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO**APPLICATION AS FILED – PART I**

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

**APPLICATION AS AMENDED – PART II**

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	10/14/2014	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 28	Minus	** 28	= 0	X \$40 =	0
	Independent (37 CFR 1.16(h))	* 6	Minus	***6	= 0	X \$210 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						<b>0</b>	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
TOTAL ADD'L FEE						

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE  
/VERONICA DAY EVERETT/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

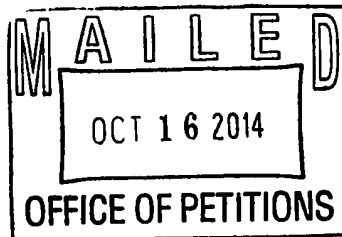




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Variyam Law Firm, PLLC  
2117 Country Club Drive  
Plano TX 75074



Doc Code: TRACK1.GRANT

**Decision Granting Request for  
Prioritized Examination  
(Track I or After RCE)**

Application No.: 14/492,487

The petition, filed October 14, 2014, requesting reconsideration of the decision, mailed October 6, 2014, which initially dismissed the Request for Prioritized Examination, Track 1, is **GRANTED**.

1. THE REQUEST FILED September 22, 2014 IS **GRANTED**.

The above-identified application has met the requirements for prioritized examination

- A. ☒ for an original nonprovisional application (Track I).  
B. ☐ for an application undergoing continued examination (RCE).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

- A. filing a **petition for extension of time** to extend the time period for filing a reply;  
B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;  
C. filing a **request for continued examination**;  
D. filing a notice of appeal;  
E. filing a request for suspension of action;  
F. mailing of a notice of allowance;  
G. mailing of a final Office action;  
H. completion of examination as defined in 37 CFR 41.102; or  
I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to Brian W. Brown at 571-272-5338.

/Brian W. Brown/  
[Signature]

Petitions Examiner, Office of Petitions  
(Title)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

96658 7590 11/14/2014  
Variyam Law Firm, PLLC  
2117 Country Club Drive  
Plano, TX 75074

EXAMINER
STCLAIR, ANDREW D

ART UNIT	PAPER NUMBER
3751	

NOTIFICATION DATE	DELIVERY MODE
11/14/2014	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

manjula@variyamlawfirm.com

**Office Action Summary**Application No.  
14/492,487Applicant(s)  
MALONE, JOSHUAExaminer  
ANDREW ST. CLAIRArt Unit  
3751AIA (First Inventor to File)  
Status  
Yes**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/14/14.  
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims\***

- 5) ☒ Claim(s) 1-15, 21-24 and 26-28 is/are pending in the application.  
 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1-15, 21-24 and 26-28 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 9/22/14 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- a) ☐ All b) ☐ Some\*\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)  
 Paper No(s)/Mail Date \_\_\_\_.
- 3) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Other: \_\_\_\_.

Application/Control Number: 14/492,487  
Art Unit: 3751

Page 2

### **DETAILED ACTION**

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.
2. In the event that the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of 35 U.S.C. 112(b):

(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.
4. Claims 1-15, 21, 22, and 26-28 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

Regarding claim 1, lines 6 and 7 recite "when the containers are filled..." This language is narrative and it is unclear whether the claim is defining a functional capability of the device or narrating a series of events.

Application/Control Number: 14/492,487  
Art Unit: 3751

Page 3

Regarding claims 8 and 9, it is unclear whether the fluid is a positively recited element of the claim. Claim 1 refers to the fluid only functionally, but the language of claims 8 and 9 suggests that the fluid is positively recited. The claim language is therefore contradictory and the scope of the claims is unclear.

Regarding claim 21, line 3 recites "when the elastic container is removed..." This language is narrative and it is unclear whether the claim is defining a functional capability of the device or narrating a series of events.

Regarding claims 26-28, it is unclear whether the balloon is a positively recited element of the claim, and it is also unclear whether a filled balloon is a positively recited element of the claim. Line 1 of claim 26 recites "for filling a plurality of balloons" which is functional language, but line 3 of claim 26 and line 2 of claim 27 refer to a "weight of the filled balloon" which suggests that a balloon is positively recited. The claim language is therefore contradictory and the scope of the claims is unclear.

Lines 3 and 4 of claim 26 recite "wherein an upward acceleration on the tube overcomes the connecting force, allowing the balloon to fall off". This language is narrative and it is unclear whether the claim is defining a functional capability of the device or narrating a series of events.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Application/Control Number: 14/492,487

Page 4

Art Unit: 3751

(a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

6. Claims 23, 24, 26, and 27 are rejected under 35 U.S.C. 102(a)(1) as being anticipated by Boise (US 2008/0121309).

Regarding claim 23, Boise discloses an apparatus (figures 4 and 5) comprising a plurality of flexible tubes (2, 31; paragraph 0076 discloses the conduits being flexible, see also claim 42 and paragraphs 0138), each flexible tube joined to a balloon (paragraph 0027), wherein the flexible tubes facilitate filling the balloons with a fluid, wherein the flexible tubes can flex to allow the balloons to expand (paragraph 0076 discloses the conduits being flexible).

Regarding claims 24, Boise discloses that the flexible tubes are of different lengths (figure 6; the tube on the far left side of the figure is longer than other tubes).

Regarding claim 26, Boise discloses a balloon filling apparatus (figures 5 and 6) for filling a plurality of balloons substantially simultaneously (paragraph 0203), comprising a plurality of tubes (2, 31), wherein each balloon is connected to one of the tubes with a connecting force not less than a weight of the filled balloon, wherein an upward acceleration on the tube overcomes the connecting force, allowing the balloon to fall off (connecting balloons to the nozzles (3) as disclosed in Boise would meet this functional limitation. It is inherent that a water balloon will cling to a nozzle so long as the balloon has a small volume of water - at this stage the connecting force is greater than the weight of the balloon. The specification of the present application discloses that the claimed functionality is achieved by shaking a flexible tube

Application/Control Number: 14/492,487

Page 5

Art Unit: 3751

until the balloon comes off - Boise discloses that the tubes are flexible and is thus inherently capable of performing the recited function).

Regarding claim 27, Boise discloses the apparatus wherein the connecting force is exactly equal to the weight of the filled balloon (see explanation above with respect to claim 27. Boise is considered to meet claim 27 in that Boise discloses a device capable of operating as claimed. The device of Boise can fill a water balloon with any volume of water desired, and each water balloon will have a certain volume that imparts a weight equal to the connecting force. Thus the device of Boise is capable of functioning as claimed).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102 of this title, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-5, 8-15, 21, 22, and 28 are rejected under 35 U.S.C. 103 as being unpatentable over Urspringer (US 6,007,403) in view of Boise (US 2008/0121309).

Regarding claim 1, Urspringer discloses a container (32) having an elastic fastener (10), and discloses that the elastic fastener is maintained on the container (32) during filling (column 3, lines 41-52). Urspringer does not disclose the specifics of a structure for filling the container.

Application/Control Number: 14/492,487

Page 6

Art Unit: 3751

Urspringer does disclose that the container can be used as a toy water balloon (column 1, line 16 and column 3, lines 41-52).

Boise discloses an apparatus (figures 5 and 6) for filling multiple water balloons simultaneously, the apparatus comprising: a housing (27, 28, 29 at the side of the attachment point 8) with an opening at a first end (end with hose (9)) and a plurality of holes at a second end (end downstream of hose (9) has holes through which conduits (2, 31) extend through housing (27, 28, 29)); and a plurality of hollow tubes (2, 31) attached to the plurality of holes.

Boise discloses that the advantage of the system shown in figures 5 and 6 is that it allows simultaneous filling of multiple water balloons (paragraph 0203). Boise does not depict the specific structure of a water balloon.

It would have been obvious to one of ordinary skill in the art to fill a plurality of the water balloons disclosed by Urspringer using the device of Boise, for the purpose of allowing simultaneous filling as disclosed by Boise. Doing so would yield a structure meeting the requirements of claim 1. Combining the teachings of Urspringer and Boise merely amounts to the use of a known water balloon filler to fill a known type of water balloon. Additionally, doing so would merely amount to a combination of known elements according to known methods to obtain predictable results. *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 415-421 (2007); see also MPEP 2143. In particular, it is noted that each structure in the above-described combination would merely perform its known function, and thus the results of such a combination are predictable.



Application/Control Number: 14/492,487  
Art Unit: 3751

Page 7

Regarding claim 2, the combination of Urspringer and Boise has a configuration in which the containers are substantially simultaneously filled with the fluid (paragraph 0203 of Boise).

Regarding claim 3, the combination of Urspringer and Boise discloses a configuration in which the first end of the housing is smaller in circumference than the second end (figure 5; the end on right side has an end (28) that is smaller than the left side of housing (27)).

Regarding claim 4, the combination of Urspringer and Boise has a configuration in which the housing (27, 28, 29) includes a threaded opening (29) at the first end.

Regarding claim 5, the combination of Urspringer and Boise has a configuration in which the containers comprise inflatable balloons (see abstract of Urspringer ).

Regarding claim 8, the combination of Urspringer and Boise has a configuration in which the fluid comprises water (column 3, lines 50-52 of Urspringer).

Regarding claim 9, the combination of Urspringer and Boise has a configuration in which the fluid comprises at least one of air and helium (column 3, lines 50-52 of Urspringer).

Regarding claim 10, the combination of Urspringer and Boise has a configuration in which each elastic fastener comprises an O-ring (the fastener (10) shown in figures 2 and 5 of

Application/Control Number: 14/492,487

Page 8

Art Unit: 3751

Urspringer is considered to be within the broadest reasonable interpretation of the term "O-ring").

Regarding claim 11, the combination of Urspringer and Boise has a configuration in which the hollow tubes are flexible (paragraph 0076 discloses the conduits being flexible, see also claim 42 and paragraphs 0138).

Regarding claim 12, the combination of Urspringer and Boise has a configuration in which at least some of the hollow tubes are of different lengths than the others (figure 6; the tube on the far left side of the figure is longer than other tubes).

Regarding claim 13, the combination of Urspringer and Boise has a configuration in which the housing (27, 28, 29) is attached to a valve (16) coupled to a fluid source (paragraph 0066), wherein when the valve is turned on, fluid from the fluid source flows through the housing and the tubes and fills the containers.

Regarding claim 14, the combination of Urspringer and Boise has a configuration in which the valve (16) includes a lever (shown in figure 5, and more clearly in figure 1) that can be turned to a first position to turn on the valve and allow fluid flow to the housing, wherein the lever can be turned to a second position to turn off the value and stop fluid flow to the housing (Examiner notes that figures 1 and 5 shown a valve (16) of the commonly known type used with PVC or the like which operates as described in claim 14).

Application/Control Number: 14/492,487  
Art Unit: 3751

Page 9

Regarding claim 15, the combination of Urspringer and Boise has a configuration in which one end of the valve is connected to a hose (9) attached to a water supply, and the other end is threaded to the housing (figure 5).

Regarding claim 21, Urspringer discloses an elastic container (32) having an elastic valve (10) for being joined to a filling apparatus in a state that the elastic valve is open (column 3, lines 41-52). Urspringer discloses that the elastic valve (10) is biased closed (abstract: "normally closed slit"). Urspringer does not disclose the specifics of a structure for filling the elastic container (32). Urspringer does disclose that the container can be used as a toy water balloon (column 1, line 16 and column 3, lines 41-52).

Boise discloses an apparatus (figures 5 and 6) for filling multiple water balloons simultaneously, the apparatus comprising a tube (2, 31).

Boise discloses that the advantage of the system shown in figures 5 and 6 is that it allows simultaneous filling of multiple water balloons (paragraph 0203). Boise does not depict the specific structure of a water balloon.

It would have been obvious to one of ordinary skill in the art to fill a plurality of the water balloons disclosed by Urspringer using the device of Boise, for the purpose of allowing simultaneous filling as disclosed by Boise. Doing so would yield a structure meeting the requirements of claim 21. Combining the teachings of Urspringer and Boise merely amounts to the use of a known water balloon filler to fill a known type of water balloon. Additionally, doing so would merely amount to a combination of known elements according to known methods to

Application/Control Number: 14/492,487

Page 10

Art Unit: 3751

obtain predictable results. *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 415-421 (2007); see also MPEP 2143. In particular, it is noted that each structure in the above-described combination would merely perform its known function, and thus the results of such a combination are predictable.

Regarding claim 22, the combination of Urspringer and Boise has a configuration in which the elastic valve comprises an elastic ring disposed around a neck of the elastic container (figures 4 and 5 of Urspringer).

Regarding claim 28, Boise discloses the apparatus substantially, as discussed above with respect to claim 26. Boise does not disclose that the connecting force is provided by an elastic valve.

Urspringer discloses a water balloon (32) with an elastic valve (10) disclosed on the neck portion (36).

It would have been obvious to one of ordinary skill in the art to fill a plurality of the water balloons disclosed by Urspringer using the device of Boise, for the purpose of allowing simultaneous filling as disclosed by Boise. Doing so would yield a structure meeting the requirements of claim 28. Combining the teachings of Urspringer and Boise merely amounts to the use of a known water balloon filler to fill a known type of water balloon. Additionally, doing so would merely amount to a combination of known elements according to known methods to obtain predictable results. *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 415-421 (2007); see also MPEP 2143. In particular, it is noted that each structure in the above-described combination

Application/Control Number: 14/492,487

Page 11

Art Unit: 3751

would merely perform its known function, and thus the results of such a combination are predictable.

9. Claim 6 is rejected under 35 U.S.C. 103 as being unpatentable over Urspringer (US 6,007,403) in view of Boise (US 2008/0121309) in view of Armer (US 4,684,137).

Regarding claim 6, the combination of Urspringer and Boise discloses the claimed subject matter substantially, as discussed above. However, Urspringer and Boise do not disclose that the container includes an inflexible portion.

Armer discloses that it is known in the art to use an inflexible portion (20) for use with a water balloon (column 2, lines 42-47). Armer discloses that the advantage to this configuration is to prevent accidental rupture of the water balloon (column 2, lines 61-64).

It would have been obvious to one skilled in the art at the time the invention was made to provide the water balloons of Urspringer with an inflexible container portions as taught by Armer for the purpose of preventing accidental rupture.

10. Claim 7 is rejected under 35 U.S.C. 103 as being unpatentable over Urspringer (US 6,007,403) in view of Boise (US 2008/0121309) in view of Gill (US Des. 335,901)

Regarding claim 7, the combination of Urspringer and Boise discloses the claimed subject matter substantially, as discussed above. However, Urspringer and Boise do not disclose that the containers include volumetric measurement markings, wherein the fluid flow to the housing is stopped when the containers are filled to a desired volume as indicated by the volumetric measurement markings.

Application/Control Number: 14/492,487  
Art Unit: 3751

Page 12

Gill discloses that it is known to provide horizontal markings on balloons. It would have been obvious to one skilled in the art at the time the invention was made to provide the balloons of Urspringer with horizontal markings as taught Gill for the purpose providing an ornamental design to the balloon that resembles a grenade. This combination is considered to meet the requirements of claim 7 because the markings can be used by a user for the purpose of judging the volume of water put held by the balloon. In other words, a person filling the water balloon in the above-described combination could fill the balloon using the horizontal markings as volumetric measurement markings and manually turn off the filling apparatus when the water reaches a certain level, and thus the above-described combination is *capable of* functioning in the manner recited by the functional limitations of the claim.

### ***Conclusion***

11. The prior art made of record on the attached PTO-892 form and not relied upon is considered pertinent to applicant's disclosure.

**Of particular note**, it is known in the art to use an O-ring or rubber band to clamp and hold a balloon onto a filling nozzle or similar structure; see Lee (US 2005/0004430) figure 1 which shows rubber band (2), Ohlund (US 2004/0174718) figure 5 which shows O-ring 42, Bard (GB 1277377) which shows balloon (3) held onto nozzle (5) with elastic band (20), and attached Non-patent literature dated May 17, 2011.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW ST.CLAIR whose telephone number is (571)270-

Application/Control Number: 14/492,487

Page 13

Art Unit: 3751

0238. The examiner can normally be reached on 7:30 am - 6:00 pm EST Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ADS

Art Unit 3751

November 6, 2014

/JASON K NIESZ/

Primary Examiner, Art Unit 3751

2220

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3751	Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-1,478,757 A	12-1923	AUGUSTIN O'CONNOR FREDERICK	446/222
*	B	US-3,301,490 A	01-1967	HRUBY JR JOHN O	239/227
*	C	US-4,684,137 A	08-1987	Armer et al.	473/609
*	D	US-D335,901 S	05-1993	Gill, III, H. Ross	D21/440
*	E	US-5,538,456 A	07-1996	Liu et al.	446/473
*	F	US-5,826,803 A	10-1998	Cooper, Randy J.	239/556
*	G	US-6,007,403 A	12-1999	Urspringer et al.	446/222
*	H	US-2004/0174718 A1	09-2004	Ohlund, Stephen K	362/565
*	I	US-2005/0004430 A1	01-2005	Lee et al.	600/116
*	J	US-2008/0121309 A1	05-2008	Boise et al.	141/313
*	K	US-2011/0151744 A1	06-2011	Archer et al.	446/222
*	L	US-8,733,675 B2	05-2014	Leber, Leland C.	239/589
*	M	US-2014/0316207 A1	10-2014	Hain, Moshe	600/194

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	GB1277377	06-1972	GB	Bard	
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Balloon Powered Boat, May 17, 2011, <a href="http://alittlelearningfortwo.blogspot.com/">http://alittlelearningfortwo.blogspot.com/</a>
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



## PATENT SPECIFICATION

(11) 1 277 377

## DRAWINGS ATTACHED

1 277 377

- (21) Application No. 4883/70 (22) Filed 2 Feb. 1970  
 (31) Convention Application No. 796 122 (32) Filed 3 Feb. 1969 in  
 (33) United States of America (US)  
 (45) Complete Specification published 14 June 1972  
 (51) International Classification A61M 25/00  
 (52) Index at acceptance  
 A5R 45



## (54) FLUID SUPPLY MEANS FOR CATHETERS

(17) We, C. R. BARD, INC. a corporation duly organised under the laws of the State of New York, of 731 Central Avenue, Murray Hill, New Jersey 07971, United States of America, do hereby declare the invention, for which we pray that a patent may be granted to us and the method by which it is to be performed to be particularly described in and by the following statement:—

This invention relates to fluid supply means for catheters.

The so called Foley catheter was provided with an open inflation funnel into which a syringe tip could be inserted to force inflation fluid into the balloon of the catheter, the inflation funnel being clamped or tied closed to retain the fluid as long as desired. An improvement over this arrangement was represented by the so called Gilbert valve, simply comprising a plug of rubber cemented in the inflation funnel and designed to be punctured by a needle through which the fluid could be injected, the rubber having self-sealing qualities so that there was generally no leakage. However, the Gilbert valve cannot hold against substantial back pressure which may be developed in certain situations, and it can also leak if the patient rolls onto it or otherwise distorts it. Such a valve can be used only with a needle.

A further improvement is shown in United States Patents Nos. 3,087,492 and 3,131,694 (Garth) relating to valves of the "bicycle tyre" type but with important details of construction adapting them for catheter use. Such valves were designed to receive a luer syringe tip but not a needle or a record tip. Despite their limitations many millions of catheters with Gilbert valves or Garth valves have been sold and used, but the need for a non-leaking valve, designed to accept alternatively luer or record syringe

[Price 25p]

tips or a needle, has not heretofore been met.

According to the invention fluid supply means for a catheter comprise a tubular inflation funnel, a valve attached to one end of the funnel, the valve including a generally cylindrical valve body of a resilient material secured in said one end of the funnel and with integrally formed valve cheeks which, in their free condition, abut one another along an interface defining a slit to provide a fluid-tight seal between an outer recess of the valve body and the funnel but which are separable by elastic deformation of the valve body when a fluid supply nozzle is inserted into the outer recess and thence through the slit, and an annular collar which is separately formed from the valve body and which at least partially surrounds the end portion of the funnel and the valve body, the outer recess of the valve body being frusto-conical and having an inner base defined by the cheeks.

The invention will now be further described with reference to the accompanying drawings which show, by way of example, a catheter embodying fluid supply means in accordance with the invention, together with six modifications also in accordance with the invention. In the drawings:—

Figure 1 is a side view of the catheter and an associated drainage bag.

Figure 2 is a sectional view on the line II-II of Figure 1 and shows a valve of the fluid supply means.

Figures 3, 4 and 5 are views similar to that of Figure 2 but respectively illustrating the condition of the valve when three different types of nozzle are inserted.

Figure 6 is an outer end view of a valve body representing the first modification.

Figure 7 is a sectional view on the line VII-VII of Figure 6.

Figure 8 is a view similar to that of Fig-

ure 2, but illustrating the second modification.

Figure 9 is a view similar to that of Figure 3, but illustrating the third modification.

Figures 10 and 11 are views similar to that of Figure 2, but respectively illustrating the fourth and fifth modifications, and

Figure 12 is a view similar to that of Figure 3 but illustrating the sixth modification.

The catheter 1 illustrated in Figure 1 is of the Foley type and comprises an inflatable retention balloon 2 in communication with a tubular inflation funnel 3. The catheter has a tubular stem D which communicates with a drainage bag B. At its free end, the inflation funnel 3 is fitted with a valve 4 comprising a generally cylindrical valve body 5 which is secured within the end of the inflation funnel 3 by means of adhesive.

Referring to Figure 2, the valve body 5 is of a resilient material and is integrally formed with two valve cheeks 6 which, in their free undistorted condition, abut one another along an interface defining a slit 10 so that the valve provides a fluid-tight seal between the internal bore of the funnel 3 and an outer frusto-conical recess 8 of the valve body 5. The outer recess 8 converges inwardly towards its circular base 9 which is spanned by the diametral line defining the slit 10. As can be seen from Figure 2, the maximum diameter of the outer recess 8 is more than half the diameter of the valve body 5 in the region of the valve cheeks 6. Also the minimum diameter of the outer recess 8 (i.e., the diameter of the base 9) is chosen so as to be equal to or less than the width of the slit 10 so that the latter extends completely across the base 9 of the recess 8. The valve body 5 is also formed with an internal recess 7 the base of which is spanned by the line defining the slit 10 and the mouth of which opens into the internal bore of the tubular inflation funnel 3.

The end of the inflation funnel 3 is surrounded by an annular collar 13 which is a plastics material and is relatively rigid compared to the valve body 5. The collar 13 has a first portion with a frusto-conical bore 15 engaging the outer surface of the funnel 3 and a second portion defining a cylindrical skirt portion with a cylindrical bore 14 spaced from the facing surface of the funnel 3 by all round annular clearance. As can be seen from Figure 2, the bore 15 diverges outwardly of the valve end engages a cooperating frusto-conical portion of the funnel 3, an inner end portion of the valve body 5 also being similarly tapered. The outer end of the valve body 5 has an externally projecting annular flange 11 against which the end edge of the tubular funnel 3

abuts. The length of the valve body 5 is somewhat less than the length of the collar 13.

The width of the recess 8 and the angle of taper, together with the dimensions of the valve cheeks 6 and the annular clearance between the funnel 3 and bore 14, are chosen so that various types of fluid supply nozzle can be inserted into the recess 8 and pushed through the slit 10 (as a result of elastic deformation of the cheeks 6) in a leak-proof manner. Figure 3 illustrates the condition of the valve 4 when a nozzle in the form of a luer syringe tip L is inserted into the valve. It can be seen that the valve cheeks 6 separate and seal around the syringe tip and that the valve body 5 and funnel 3 are deformed so as to occupy the previously-present radial clearance gap between the funnel 3 and the bore 14. Figure 4 shows the analogous condition for a nozzle in the form of a record syringe tip R and here again it will be seen that the valve cheeks 6 are elastically deformed and seal around the tip with the material of the funnel 3 being outwardly expanded so as to fill the previously-present clearance gap. In both Figures 3 and 4, the base of the tip L or R is engaged by the portion of the valve body 5 surrounding the mouth of the recess 8. In Figure 5, the condition of the valve 4 is shown with a needle N inserted into the valve body 5, the valve cheeks 6 being elastically deformed and the valve body 5 and funnel 3 being expanded so as to fill the previously-present clearance gap.

In the first modification shown in Figures 6 and 7, the maximum diameter of the recess 8 is more than half the diameter of the valve body 5 and the latter has a series of external annular ridges 12 which serve to retain adhesive as the valve body 5 is inserted into the funnel 3 so that a tight bond results. It can be seen from Figure 6 that the width of the slit 10 is slightly greater than the diameter of the base 9 of the outer recess 8. The second modification shown in Figure 8 features an external collar 16 (analogous to the collar 13) with a part-spherical recess on its internal surface so that the width of the clearance gap 19 between the funnel 3 and collar 16 varies. It will also be seen that in the modification of Figure 8 the valve body 18 does not include the outer end flange 11 of Figures 2 to 5. The outer end of the collar 16 has, by virtue of its internal recess, an inwardly turned lip 17 which engages against the outer surface of the generally cylindrical valve body 18.

Whilst collars of the form indicated by the numerals 13 and 16 are advantageous in providing dimensional stability for the valve, as well as furnishing a surface on which identifying markings can be conveniently printed, a collar in the form of a rub-

ber band or shrinkable plastics tubing can be utilised if desired as indicated at 20 in the third modification shown in Figure 9. In this case, the band or tubing 20 surrounds only a comparatively short length of the funnel 3 and leaves the length of funnel 3 surrounding the cheeks 6 free to expand outwardly on insertion of a luer syringe tip L, as indicated.

10 In the modification of Figure 10, the valve body 21 (corresponding to the valve body 5 of earlier figures) is bullet shaped with an inwardly tapering surface 22 spaced from the funnel 3. Liquid pressure against this surface assists in ensuring the tight closure of the slit 23 which corresponds to the slit 10 and through which liquid can be injected by any of the three forms of nozzle previously described. The collar 24 of Figure 10 is similar to the collar 13 of Figures 2 to 5. As a further possible alternative, the valve body may have an inner radial surface which is planar, as indicated at 26 in Figure 11 for the valve body 25. In this case, the slit 27 spans the radial surface 26 of the valve body 25. In the modification shown in Figure 12, the funnel is thickened over a portion of its length, as indicated at 28, the thickened portion forming the collar, to provide integral reinforcement which is functionally equivalent to the band or tubing 20 of Figure 9 in that it resists expansion on the funnel whilst assuring compression on the valve body so as to close the slit. In Figure 12, a luer syringe tip L is shown inserted into the valve body.

#### WHAT WE CLAIM IS:—

1. Fluid supply means for a catheter, comprising a tubular inflation funnel, a valve attached to one end of the funnel the valve including a generally cylindrical valve body of a resilient material secured in said one end of the funnel and with integrally formed valve cheeks which, in their free condition, abut one another along an interface defining a slit to provide a fluid-tight seal between an outer recess of the valve body and the funnel but which are separable by elastic deformation of the valve body when a fluid supply nozzle is inserted into the outer recess and thence through the slit, and an annular collar which is separately formed from the valve body and which at least partially surrounds the end portion of the funnel and the valve body, the outer recess of the valve body being frusto-conical and having an inner base defined by the cheeks.

2. Means according to claim 1, wherein the annular collar is less resilient than the valve body and provides external restraint

for the valve body on said elastic deformation.

3. Means according to claim 2, wherein the collar has a first portion engaging the funnel and a second portion which surrounds the slit and which, in the normal undeformed condition of the valve body, surrounds the funnel with a clearance gap so that the valve body and funnel can expand into the clearance gap on said elastic deformation.

4. Means according to claim 3, wherein the second portion of the collar is defined by a cylindrical skirt portion which surrounds the funnel with a uniform annular clearance defining said clearance gap.

5. Means according to claim 3, wherein the second portion of the collar has a part spherical recess on its internal surface so that the width of the clearance gap varies continuously along the length of the second portion of the collar.

6. Means according to any of the preceding claims, wherein the first portion of the collar has a frusto-conical internal surface engaging a complementary external frusto-conical surface of the funnel, these surfaces diverging in a direction towards the outer recess of the valve body.

7. Means according to any of the preceding claims, wherein the outer end of the valve body has an externally projecting annular flange which abuts an end edge of the funnel.

8. Means according to any of the preceding claims, wherein the frusto-conical recess of the valve body diverges outwardly and the maximum diameter of the frusto-conical recess is more than half the diameter of the valve body in the region of the valve cheeks.

9. Means according to any of the preceding claims, wherein the frusto-conical recess diverges outwardly and the minimum diameter of the frusto-conical recess is equal to or less than the width of the slit which is defined in the circular base of the recess by a diametral line.

10. Means according to any of the preceding claims, wherein the inner end of the valve body has an internal recess the base of which is defined by the cheeks.

11. Means according to claim 6 and 10, wherein an inner end portion of the valve body, surrounding the inner recess, is frusto-conical and engages in complementary fashion the frusto-conical surfaces of the funnel.

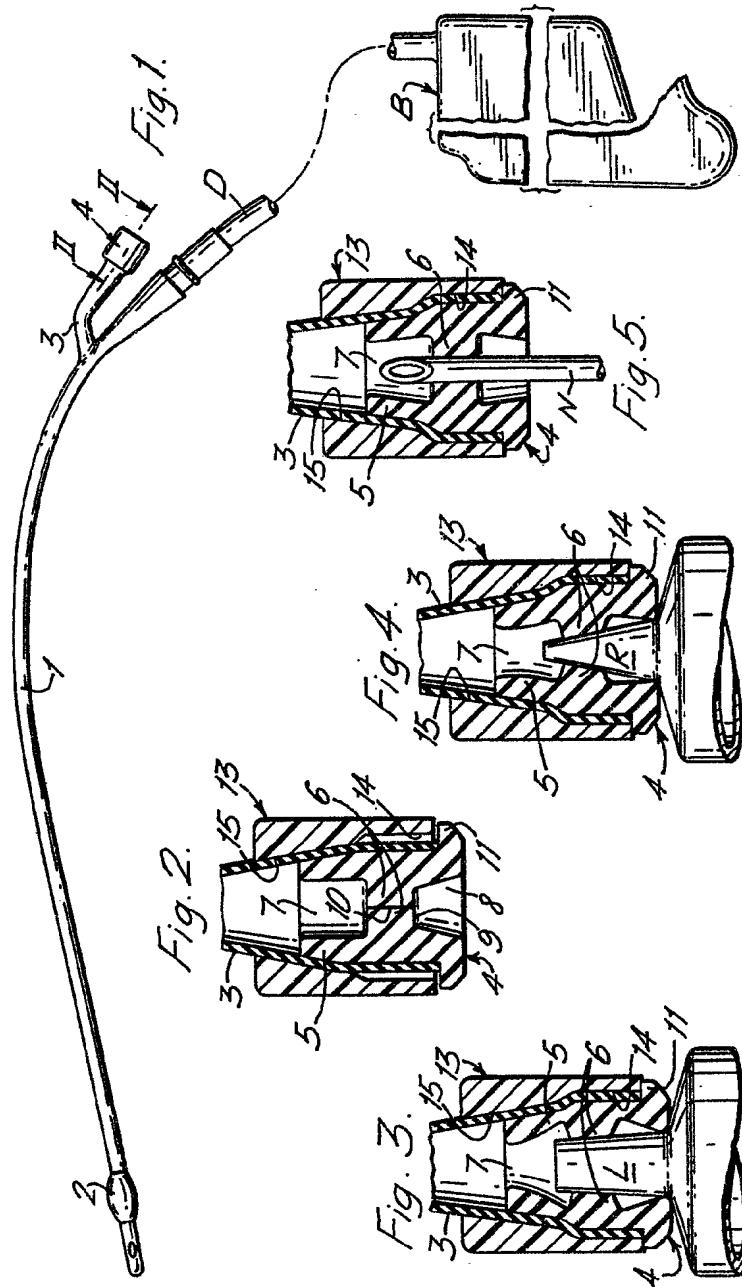
12. Means according to any of the preceding claims, wherein the valve body is secured within the funnel by means of adhesive.

13. Fluid supply means for a catheter, the means being constructed and arranged substantially as herein particularly described with reference to Figures 1 to 6 or as modified by any one of Figures 7 to 12 of the accompanying drawings.

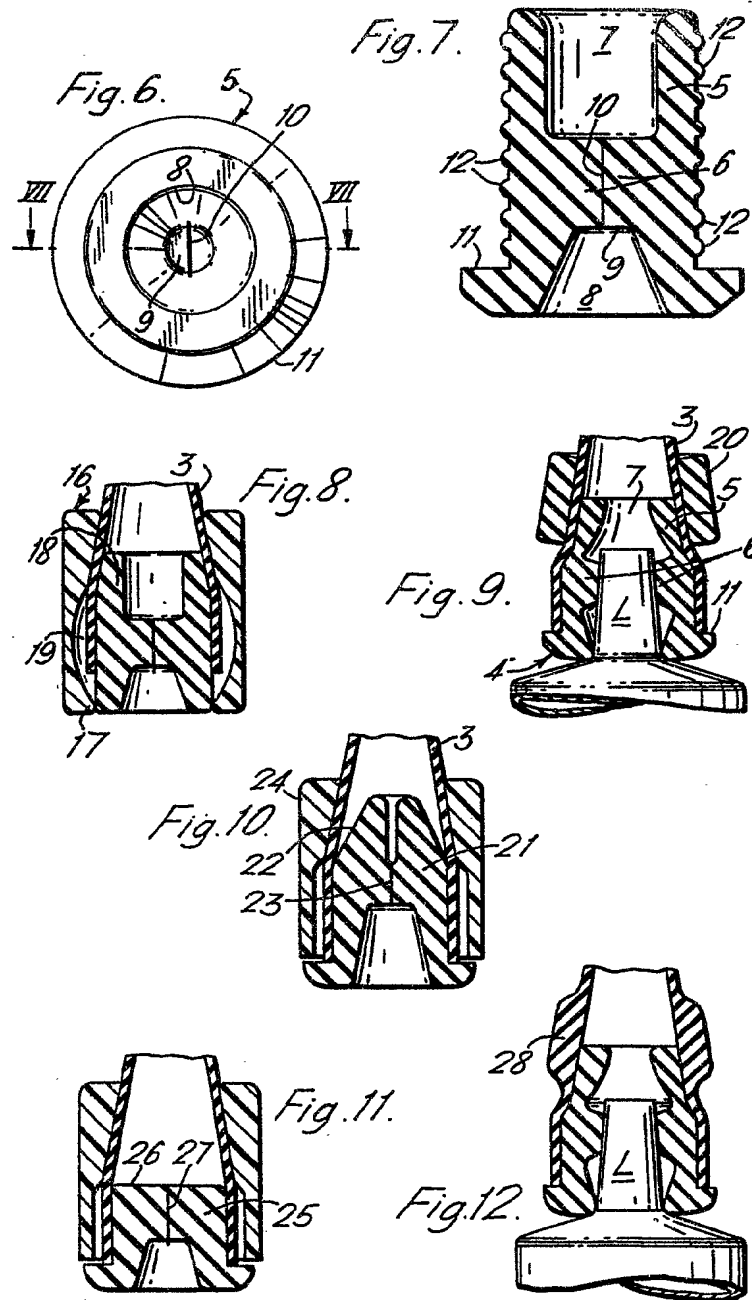
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London, W.C.2.


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**1,277,377** COMPLETE SPECIFICATION  
**2 SHEETS** This drawing is a reproduction of  
the Original on a reduced scale.  
**SHEET 1**



**1,277,377 COMPLETE SPECIFICATION**  
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**SHEET 2**



<b>Search Notes</b>  	<b>Application/Control No.</b>  14492487	<b>Applicant(s)/Patent Under Reexamination</b>  MALONE, JOSHUA
	<b>Examiner</b>  ANDREW STCLAIR	<b>Art Unit</b>  3751

CPC- SEARCHED		
Symbol	Date	Examiner
A63H27/10	11/6/14	ADS

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
141	234-248	11/6/14	ADS
383	3, 71	11/6/14	ADS

SEARCH NOTES		
Search Notes	Date	Examiner
Consulted Primary Jes Pascua for class 383 search	10/30/14	ADS
Inventor search in EAST	10/30/14	ADS
Text only search	10/30/14	ADS
STIC search	10/30/14	ADS

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	19	((JOSHUA) near2 (MALONE)).INV.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 06:59
S2	5	tinnus.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/10/29 07:01
S3	312	(141/234).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 07:04
S4	2402	(141/234-248).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 07:04
S5	7	S4 and balloon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/10/29 07:05
S6	9	("0262517"   "20080121309"   "5127867"   "5234726"   "5873764"   "6176758"   "6478057"   "6478651").PN. OR ("8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:06
S7	81	("0262517"   "0721051"   "0723292"   "1703463"   "1951193"   "20080121309"   "2187493"   "2692751"   "2731768"   "2776530"   "2922252"   "3161998"   "3191801"   "3380490"   "3536110"   "3692071"   "3892081"   "4798554"   "4811841"   "4892500"   "4983138"   "5016428"   "5023118"   "5125177"   "5127867"   "5188558"   "5234726"   "5293707"   "5334072"   "5370161"   "5482492"   "5651402"   "5653272"   "5778581"   "5873764"   "5944576"   "6176758"   "6478057"   "6478651").PN. OR ("2008/0121309"   "262517"   "5127867"   "6176758"   "6478057"   "6478651"   "8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:08



S8	9	(US-8789565-\$ or US-8141326-\$ or <del>21229</del> 5944576-\$ or US-5029851-\$ or US-2922252-\$ or US-1703463-\$).did. or (US-3161998-\$ or US-2922252-\$).did. or (US-8789565-\$).did.	USPAT; USOCR; DERWENT	OR	ON	2014/10/29 07:31
S9	79	("0262517"   "20080121309"   "20090050835"   "20100038906"   "2161274"   "2449147"   "2882645"   "3002240"   "3041766"   "3161998"   "3630555"   "4453711"   "4589854"   "4729749"   "4837059"   "4881916"   "4895545"   "4989906"   "5016428"   "5039142"   "5067301"   "5121595"   "5127867"   "5234726"   "5314217"   "5389030"   "5439199"   "5568950"   "5611578"   "5873764"   "5882051"   "6082785"   "6176758"   "6325426"   "6408902"   "6478057"   "6478651"   "6540267"   "6851675"   "6902212"   "7549683").PN. OR ("1703463"   "2922252"   "3161998"   "5029851"   "5944576"   "8141326"   "8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:32
S10	6241	balloon.ti.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:39
S11	1920	(balloon or balloons) with (inflate or blow or "blow up" or "blowup" or "blow-up" or fill or filling or inflating) with (multiple or plural or "more than one" or two)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:40
S12	60	S11 and ("141"/\$.ccls. or "222"/\$.ccls. or "137"/\$.ccls. or "251"/\$.ccls.)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:44
S13	4	("2008/0121309").URPN.	USPAT	OR	ON	2014/10/29 07:56
S14	7831	balloon and (filling or fill or inflating or inflate)	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:34
S15	8310	balloon and (filling or fill or inflating or inflate or blow or "blow up" or "blowing up")	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:34
S16	578	S15 and ((multiple or plural or two or "more than one") near5 (balloon or balloons))	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:36
S17	0	noodlehead	EPO; JPO; DERWENT	OR	ON	2014/10/29 09:08
S18	250	flexible near3 sprinkler	EPO; JPO; DERWENT	OR	ON	2014/10/29 09:08
S19	323	flexible near3 sprinkler	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:09
S20	32	"5826803"	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:10
S21	2	("5826803").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	OFF	2014/10/29 09:10

		2230	IBM_TDB			
S22	41	("0400683"   "1484575"   "1989525"   "2757960"   "2968443"   "3301490"   "3402741"   "5312047").PN. OR ("5826803").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:11
S23	6	"water balloon" with ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:18
S24	766	"balloon" with ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:44
S25	99	S24 and (water near4 balloon)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:45
S26	27	"water balloon" same2 ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:59
S27	33	water.ti. near3 balloon.ti.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 15:57
S28	11	("0718121"   "2027225"   "2193069"   "D159718").PN. OR ("5356327").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:02
S29	25	("20040127311"   "4212460"   "4684137"   "4932672"   "5018449"   "5240450"   "5356327"   "5538456"   "5590886"   "5831199"   "5967916"   "5975983"   "6223658"   "6242489"   "6289819"   "6302028"   "6352032"   "6386113"   "6450100"   "6453819"   "6532947"   "6581521"   "6598807").PN. OR ("7444938").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:03
S30	23	("3156187"   "3419274"   "3791303"   "4212460"   "4240396").PN. OR ("4684137").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:07
S31	2	"water balloon" near5 ("o ring" or "o-ring")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:10
S32	659	"water balloon"	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:11
S33	0	("2005/0176339").URPN.	USPAT	OR	ON	2014/10/29 16:12
S34	0	("2014/0212074").URPN.	USPAT	OR	ON	2014/10/29 16:15
S35	0	("2013/0118640").URPN.	USPAT	OR	ON	2014/10/29 16:29
S36	0	("2011/0151744").URPN.	USPAT	OR	ON	2014/10/29 16:32
S37	0	("2011/0151744").URPN.	USPAT	OR	ON	2014/10/29 16:32
S38	2	("6527615").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 16:33

S39	4	("4285105").PN.	2231	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 16:34
S40	15	("1201045"   "1631205"   "4857029"   "4936532"   "5040903"   "5301392"   "5551127"   "5628091"   "5799377"   "6007403"   "6058572").PN. OR ("6527615").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:34
S41	47	("1098286"   "1166690"   "1242139"   "1350935"   "1467411"   "1478757"   "1543954"   "1986484"   "2396906"   "2457274"   "2460963"   "2844351"   "3236005"   "3366999"   "3383131"   "3780419"   "3820200"   "3962757"   "4189808"   "4428149"   "4570304"   "4697312"   "4914789"   "4936532"   "5628091").PN. OR ("6007403").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:44
S42	37	("1920257"   "2105615"   "2573424"   "2908109"   "2928437"   "3360169"   "4132334"   "4212460"   "4314658"   "4867451"   "4890838"   "4991847"   "5098329"   "5176510"   "5240450"   "5343889"   "5472021"   "5472123"   "5496203"   "5522757"   "5531626"   "5538456"   "5577732"   "5649875").PN. OR ("5975983").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 07:48
S43	9	("3411778"   "3457669"   "5588897"   "5928049").PN. OR ("6149488").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 07:59
S44	34	("0073006"   "1667123"   "1918718"   "2616219"   "2710490"   "3528662"   "3903865"   "4084820"   "4216610"   "4480400"   "4995619"   "5240450"   "5538456"   "5571037").PN. OR ("5928049").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:07
S45	29	("1920257"   "3022785"   "3617060"   "3878639"   "4212460"   "4319426"   "4890838"   "4932672"   "4944521"   "4991847"   "5018449"   "5240450"   "5277642"   "5288261"   "5354225"   "D335901").PN. OR ("5538456").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:15
S46	54	("1423122"   "1920257"   "3022785"   "3369486"   "3617060"   "3878629"   "3878639"   "4113261"   "4212460"   "4319426"   "4538817"   "4761314"   "4890838"   "4932329"   "4932672"   "4944521"   "4991847"   "5018449"   "5240450"   "5277642"   "5288261"   "5354225"   "D335901").PN. OR ("5240450"   "5538456").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:19
S47	79	(US-20080121309-\$ or US-20140316207-\$ or US-20050138862-\$ or US- 20050176339-\$ or US-20040127311-\$ or US-20140212074-\$ or US-20110151744-\$ ).did. or (US-8789565-\$ or US-6478651-\$ or US-6478057-\$ or US-6176758-\$ or US- 5127867-\$ or US-0262517-\$ or US-		US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/11/06 08:49

		8141326-\$ or US-5944576-\$ or US-2232 5029851-\$ or US-2922252-\$ or US- 1703463-\$ or US-4944709-\$ or US- 4892500-\$ or US-8251111-\$ or US- 8037906-\$ or US-5826803-\$ or US- 8733675-\$ or US-3301490-\$ or US- 2757960-\$ or US-6149488-\$ or US- 7444938-\$ or US-5975983-\$ or US- 4684137-\$ or US-5639526-\$ or US- 6527615-\$ or US-6007403-\$).did. or (US- 5628091-\$ or US-5301392-\$ or US- 6540578-\$ or US-3820200-\$ or US- 1478757-\$ or US-1350935-\$ or US- 1166690-\$ or US-1098286-\$ or US- 6793094-\$ or US-5531626-\$ or US- 5496203-\$ or US-5538456-\$ or US- 5240450-\$ or US-7762214-\$ or US- 6598807-\$ or US-6158619-\$ or US- D335901-\$ or US-4212460-\$).did. or (US- 3161998-\$ or US-2922252-\$ or US- 3301490-\$ or US-2757960-\$ or US- 1484575-\$ or US-2027225-\$ or US- 1478757-\$ or US-1350935-\$ or US- 1098286-\$).did. or (WO-2009157884- \$).did. or (JP-09285648-\$ or JP-06091006- \$).did. or (US-8789565-\$ or US- 20140248819-\$ or US-20120289120-\$ or WO-2011130536-\$ or CN-201946184-\$ or WO-2009061969-\$ or WO-2008112223-\$ or FR-2892297-\$ or US-6790120-\$ or US- 20020134890-\$ or WO-0174467-\$ or EP- 1078647-\$ or US-5833650-\$ or US- 5226793-\$ or US-4983138-\$ or EP-70068- \$).did.				
S48	0	S47 and grenage	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 08:49
S49	7	S47 and grenade	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 08:49
S50	674	(383/3).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 09:30
S51	755	(383/71).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 09:31

S52	1421	S50 or S51	2233	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 09:32
S53	3	("20090050835").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:12
S54	3	("20050004430").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:13
S55	2	("20040174718").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:14
S56	30	(US-20080121309-\$ or US-20050004430-\$ or US-20040174718-\$ or US-20140316207-\$ or US-20110151744-\$ or US-20040127311-\$).did. or (US-6007403-\$ or US-5538456-\$ or US-5826803-\$ or US-6149488-\$ or US-4684137-\$ or US-1478757-\$ or US-D335901-\$ or US-8733675-\$ or US-6527615-\$ or US-6598807-\$ or US-6158619-\$ or US-3301490-\$ or US-2757960-\$ or US-6540578-\$ or US-5240450-\$ or US-8789565-\$ or US-6478651-\$ or US-1166690-\$ or US-1098286-\$ or US-7762214-\$ or US-6478057-\$).did. or (US-3301490-\$ or US-2757960-\$).did. or (US-8789565-\$).did.		US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2014/11/06 10:54
S57	2605	A63H27/10.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 10:59

11/ 6/ 2014 11:13:25 AM

C:\Users\astclair\Documents\EAST\Workspaces\14492487 - system and method for filling containers with fluids.wsp




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## BIB DATA SHEET

CONFIRMATION NO. 4365

<b>SERIAL NUMBER</b> 14/492,487	<b>FILING or 371(c) DATE</b> 09/22/2014 <b>RULE</b>	<b>CLASS</b> 141	<b>GROUP ART UNIT</b> 3751	<b>ATTORNEY DOCKET NO.</b> 02-14224	
<b>APPLICANTS</b> TINNUS ENTERPRISES, LLC, PLANO, TX, Assignee (with 37 CFR 1.172 Interest); <b>INVENTORS</b> JOSHUA MALONE, PLANO, TX; <b>** CONTINUING DATA *****</b> This appln claims benefit of 61/942,193 02/20/2014 and claims benefit of 61/937,083 02/07/2014 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY **</b> 09/26/2014					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /ANDREW D STCLAIR/ Acknowledged Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> TX	<b>SHEETS DRAWINGS</b> 6	<b>TOTAL CLAIMS</b> 28	<b>INDEPENDENT CLAIMS</b> 6
<b>ADDRESS</b> Variyam Law Firm, PLLC 2117 Country Club Drive Plano, TX 75074 UNITED STATES					
<b>TITLE</b> SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS					
<b>FILING FEE RECEIVED</b> 1680	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b>  14492487	<b>Applicant(s)/Patent Under Reexamination</b>  MALONE, JOSHUA
	<b>Examiner</b>  ANDREW STCLAIR	<b>Art Unit</b>  3751

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	11/05/2014							
	1	✓							
	2	✓							
	3	✓							
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	5	✓							
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	25	-							
	26	✓							
	27	✓							
	28	✓							



2236

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

96658 7590 12/24/2014  
Variyam Law Firm, PLLC  
2117 Country Club Drive  
Plano, TX 75074

EXAMINER
STCLAIR, ANDREW D

ART UNIT	PAPER NUMBER
3751	

NOTIFICATION DATE	DELIVERY MODE
12/24/2014	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

manjula@variyamlawfirm.com



<b>Applicant-Initiated Interview Summary</b>	2237	<b>Application No.</b>	<b>Applicant(s)</b>	
		14/492,487	MALONE, JOSHUA	
		<b>Examiner</b>	<b>Art Unit</b>	
		ANDREW ST.CLAIR	3751	

All participants (applicant, applicant's representative, PTO personnel):

(1) ANDREW ST.CLAIR. (3) MANJULA VARIYAM.

(2) KEVIN SHAVER. (4) \_\_\_\_.

Date of Interview: 15 December 2014.

Type: ☒ Telephonic ☐ Video Conference  
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.  
If Yes, brief description: \_\_\_\_.

Issues Discussed ☐ 101 ☒ 112 ☒ 102 ☒ 103 ☐ Others  
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1 and 23.

Identification of prior art discussed: Boise, Urspringer.

**Substance of Interview**  
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Potential claim amendments were discussed. Examiner agreed that certain amendments and remarks appear to overcome the rejection set forth in the Office Action of November 14, 2014. Suggestions were made for further defining the structural configuration shown in figure 1.

**Applicant recordation instructions:** The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/ANDREW ST.CLAIR/ Examiner, Art Unit 3751	/KEVIN P. SHAVER/ Supervisory Patent Examiner, Art Unit 3754
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**Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

**Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**  
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

**Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

ATTORNEY DOCKET  
NO. 02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Josh Malone  
Serial No.: 14/492,487  
Filing Date: Confirmation Sep. 22, 2014  
No.: Group Art Unit: 4365  
Examiner: 3728  
Title: Andrew D. St. Clair  
*System and Method for Filling Containers with Fluids*

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RESPONSE TO EXAMINER'S ACTION

In response to the Office Action mailed November 14, 2014, Applicant respectfully requests the Examiner to reconsider the claims in view of the following amendments and comments as set forth below. Please amend the Application as follows.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

2

For the convenience of the Examiner, all pending claims of the present Application are shown below. Please amend the claims as follows:

1. **(Currently Amended)** An apparatus comprising:

a housing **comprising** with an opening at a first end and **a two-dimensional array** ~~a plurality of~~ holes at a second end;

a plurality of hollow tubes, each hollow tube attached to the housing at a respective one of the ~~plurality of holes at the second end;~~

a plurality of containers, each container removably attached to a respective one of the hollow tubes; and

a plurality of elastic fasteners, each elastic fastener clamping a respective one of the plurality of ~~containers each container~~ to a corresponding hollow tube, ~~wherein when the containers are filled with fluid and detached from the corresponding hollow tubes, and~~ each elastic fastener **configured to automatically seal** ~~seals each container~~ **its respective one of the plurality of containers upon detaching the container from its corresponding hollow tube** ~~with the fluid inside.~~

2. **(Currently Amended)** The apparatus of Claim 1, wherein **the apparatus is configured to fill** the containers ~~are~~ substantially simultaneously ~~filled with the fluid~~ **a fluid**.

3. **(Currently Amended)** The apparatus of Claim 1, wherein the first end of the housing **has an outermost perimeter that is smaller in length than an outermost** ~~is smaller in circumference~~ **perimeter of** ~~than~~ the second end.

4. **(Currently Amended)** The apparatus of Claim 1, wherein **the opening at the first end of** the housing **has a threaded inner surface.** ~~includes a threaded opening at the first end.~~

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

3

5. (Currently Amended) The apparatus of Claim 1, wherein each container comprises an expandable balloon portion ~~the containers comprise inflatable balloons.~~

6. (Currently Amended) The apparatus of Claim 1, wherein each container comprises a rigid portion and a flexible portion, the flexible portion disposed between the clamp and the respective one of the plurality of tubes. ~~the containers comprise a flexible portion and an inflexible, wherein the flexible portion is clamped to the hollow tubes with the elastic fasteners.~~

7. (Currently Amended) The apparatus of Claim 1, wherein each container comprises a ~~the containers include volumetric measurement~~ marking providing a visual reference for filling the container to a desired volume. ~~markings, wherein the fluid flow to the housing is stopped when the containers are filled to a desired volume as indicated by the volumetric measurement markings.~~

8. (Currently Amended) The apparatus of Claim 1, wherein the clamp is disposed outwardly from the container and clamps an inner surface of the container against an outer surface of the respective one of the plurality of tubes. ~~fluid comprises water.~~

9. (Currently Amended) The apparatus of Claim 1, wherein the fluid comprises one or more of water, air and helium.

10. (Currently Amended) The apparatus of Claim 1, wherein each clamp ~~elastic fastener~~ comprises an O-ring configured to automatically seal the container in response to a force applied to the container in a direction away from the housing.

11. (Currently Amended) The apparatus of Claim 1, wherein the hollow tubes are flexible.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

4

12. **(Currently Amended)** The apparatus of Claim 1, wherein ~~at least some of the hollow~~ plurality of tubes comprise a first set of tubes each having a first length, and a second set of tubes each having a second length longer than the first length. ~~are of different lengths than the others.~~

13. **(Currently Amended)** The apparatus of Claim 1, wherein the housing is attached to a valve coupled to a fluid source, wherein ~~when~~ the valve is configured to control delivery of the fluid to fill ~~turned on, fluid from the fluid source flows through the housing and the tubes and fills the~~ plurality of containers.

14. **(Original)** The apparatus of Claim 13, wherein the valve includes a lever that can be turned to a first position to turn on the valve and allow fluid flow to the housing, wherein the lever can be turned to a second position to turn off the value and stop fluid flow to the housing.

15. **(Original)** The apparatus of Claim 13, wherein one end of the valve is connected to a hose attached to a water supply, and the other end is threaded to the housing.

16. **(Canceled)**

17. **(Canceled)**

18. **(Canceled)**

19. **(Canceled)**

20. **(Canceled)**

ATTORNEY DOCKET  
NO. 02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

5

21. **(Currently Amended)** An apparatus comprising ~~at least one tube~~ a tube removably joined to at least one elastic container by an open elastic valve, wherein the tube facilitates filling the elastic container with a fluid, ~~wherein when the elastic container is removed from the tube, the elastic valve~~ being configured to automatically close, upon removal of the tube from the elastic container, to seal the fluid inside the elastic container.

22. (Original) The apparatus of Claim 21, wherein the elastic valve comprises an elastic ring disposed around a neck of the elastic container.

23. **(Currently Amended)** An apparatus comprising a plurality of flexible tubes, each flexible tube joined to a balloon, wherein the flexible tubes facilitate filling the balloons with a fluid, wherein the ~~flexible tubes can flex to allow the balloons to expand~~ balloons are disposed in sufficient proximity to each another to push on each other during their filling, thereby causing the tubes to flex.

24. (Original) The apparatus of Claim 23, wherein the flexible tubes are of different lengths.

25. (Canceled)

26. **(Currently Amended)** A balloon filling apparatus ~~for filling a plurality of balloons substantially simultaneously,~~ comprising a plurality of tubes and a plurality of balloons, wherein each balloon is connected to a respective one of the tubes with a connecting force not less than a weight equivalent to one of the balloons if substantially filled with water, the connecting force being overcomeable by applying of the filled balloon; ~~wherein an upward acceleration on the tube overcomes the connecting force, allowing the balloon to fall off,~~ wherein the apparatus is configured to fill the plurality of balloons substantially simultaneously.

ATTORNEY DOCKET  
NO. 02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

6

27. **(Currently Amended)** The balloon filling apparatus of Claim 26, wherein the connecting force is less than 1 newton ~~exactly equal to the weight of the filled balloon.~~

28. **(Currently Amended)** The balloon filling apparatus of Claim 26, wherein the connecting force is provided by an elastic valve configured to automatically seal the balloon if the connecting force is overcome.

29. **(New)** The apparatus of Claim 1, wherein each hole of the two-dimensional array of holes at the second end of the housing extends through an outer surface of the housing, the outer surface opposing the opening at the first end of the housing.



ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

7

#### REMARKS

This Application has been carefully reviewed in light of the Office Action dated November 11, 2014. Claims 1-28 were originally filed in the application. Claims 16-20 and 25 were cancelled previously without prejudice or disclaimer. To clarify various aspects of inventive subject matter and in some cases to remove unnecessary limitations, Applicant amends Claims 1-13, 21, 23, and 26-28. Applicant also introduces new dependent Claim 29. No new matter has been added. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case.

To advance prosecution of this application, Applicant has responded to each notation by the Examiner. Applicant submits that all of the pending claims are allowable over the cited references. Applicant respectfully requests reconsideration and favorable action in this case.

#### Interview Summary

A telephone interview involving Examiner St. Clair and Manjula Variyam was conducted on December 7, 2011. Applicant thanks the Examiner for the courtesy of the interview. Pursuant to M.P.E.P. ch. 713.04, Applicant submits this summary of the telephone interview to record Applicant's understanding of the substance of the interview. If Applicant's understanding is inaccurate, notice of such is appreciated. During the interview, example distinctions between certain claims and the cited references were discussed. No agreement was reached as a result of the Interview. Any subsequent amendments to the claims were not based on reasons related to patentability, and Applicant reserves the right for future commentary concerning the rationale behind these amendments. If the Examiner intends to issue a new Office Action in response to Applicant's present submission, in the interest of compact and efficient prosecution, Applicant respectfully requests that the Examiner contact Applicant's attorney prior to issuing the new Office Action to discuss a possible resolution to any outstanding issues.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

8

### Section 112 Rejection

The Office Action rejection of Claims 1-15, 21, 22 and 26 and 28 under 35 U.S.C. § 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, states that those claims fail to point out and distinctly claim the subject matter regarded as the invention. Without conceding as to the correctness of the § 112 rejections, and solely for purposes of advancing prosecution, Applicant respectfully submits that the present claims amendments render the rejections moot. Specifically, the claim language the Office Action had identified is no longer recited. Accordingly, Applicant respectfully requests withdrawal of the rejection and allowance of Claims 1-15, 21, 22 and 26 and 28.

### Section 102 Rejections

The Examiner rejects Claims 23, 24, 26 and 27 under 35 U.S.C. §102(a)(1) as being anticipated by U.S. Patent Pub. No. 2008/0121309 to Boise ("*Boise*").

A claim is anticipated only if each element as set forth in the claim is either found, expressly or inherently described, in a single prior art reference.<sup>1</sup> In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim."<sup>2</sup>

Independent Claim 23 recites (*inter alia*) balloons "are disposed in sufficient proximity to each another to push on each other during filling, thereby causing the tubes to flex." *Boise* does not disclose that balloons joined to tubes are disposed in sufficient proximity to each another to push on each other during filling, thereby causing the tubes to flex.

Independent Claim 26 recites (*inter alia*) "A balloon filling apparatus comprising a plurality of tubes and a plurality of balloons, wherein each balloon is connected to a respective one of the tubes with a connecting force not less than a weight equivalent to one of the balloons if substantially filled with

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<sup>1</sup> *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131.

<sup>2</sup> *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); MPEP §2131 (*emphasis added*).

ATTORNEY DOCKET  
NO. 02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

water, the connecting force being overcomeable by applying an upward acceleration on the tube.”<sup>3</sup> The Office Action relies on an inherency argument in addressing the structural limitations further defining the “connecting force,” as originally recited. In particular, the Office Action states:

***It is inherent*** that a water balloon will cling to a nozzle so long as the balloon has a small volume of water – at this stage the connection force is greater than the weight of the balloon. The specification of the present application discloses that the claimed functionality is achieved by shaking a flexible tube until the balloon comes off –Boise discloses that the tubes are flexible.”

Office Action at 4-5 (emphasis added). In relying upon the theory of inherency, however, an Examiner must provide a basis in fact and/or technical reasoning to support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.<sup>4</sup> “The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.”<sup>5</sup>

As shown in the block quotation above, the Office Action inherency argument points to no teaching of *Boise* from which all limitations of the “connecting force” necessarily flows. For example, the assertion that a balloon will “cling” has no supporting citation to *Boise*. Indeed, the word “cling” appears nowhere in *Boise*. Moreover, Claim 26, even as originally filed, does not recite that the balloon must simply “cling” in the abstract. Rather, Claim 26 defines a particular “connecting force” both terms of it being not less than a particular weight and also in terms of it being overcomeable by applying an upward acceleration on the tube. The mere suggestion that the “conduits 2” of *Boise* may be flexible discloses nothing about a “connecting force” connecting a balloon to a tube, let alone that a “connecting

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<sup>3</sup> Applicant notes that the amendments to Claim 26 are clerical in nature and do not change the scope of the claim. Accordingly, if the Examiner issues a new rejection based on a reference other than *Boise*, such a rejection may not be made final.

<sup>4</sup> MPEP §2112 (citing *Ex Parte Levy*, 17 USPQ 2d 1461, 1464 (Bd. Pat. at App. and Inter. 1990) (underlining in original, *emphasis added*).

<sup>5</sup> MPEP §2112 (citing *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ 2d 1955, 1957 (Fed. Cir. 1993) (underlining in original).

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

10

force” has upper and lower bounds defined in terms of a particular weight and an upward acceleration sufficient to overcome the force. Apparently recognizing this deficiency, the Office Action attempts to cure it by citing to the present application. But an inherency argument must be based on “the teachings of the prior art,” not that of the application.

For at least these reasons, independent Claims 23 and 26 are allowable over *Boise*. The corresponding dependent claims from these independent claims allowable for analogous reasons. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

#### Section 103 Rejections

The Office Action rejects Claims 1-5, 8-15, 21, 22 and 28 under 35 U.S.C. § 103 over U.S. Pat. No. 6,007,403 to Urspringer (“*Urspringer*”) in view of *Boise*. Claim 6 is rejected under 35 U.S.C. §103 over *Urspringer* in view of *Boise* and U.S. Pat. No. 4,684,137 to Armer (“*Armer*”). Claim 7 is rejected under 35 U.S.C. § 103 over *Urspringer* in view of *Boise* and U.S. Des. 335, 901 to Gill (“*Gill*”). Applicant respectfully traverses the rejections.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation; either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.<sup>6</sup>

It is respectfully submitted that the rejected claims are patentable over the cited references based on at least the third criterion of obviousness: none of the references, either alone or in combination, disclose or suggest each claim limitation of the independent claims. For example, the cited references do not disclose “a housing comprising an opening at a first end and a two-dimensional array of holes at a second end,” as recited in Claim 1.

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<sup>6</sup> See M.P.E.P. §2142-43.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

11

Additionally, the cited references do not disclose “a plurality of elastic fasteners” each “configured to automatically seal its respective one of the plurality of containers upon detaching the container from its corresponding hollow tube,” as recited in Claim 1. By way of contrast, *Urspringer* requires that the balloon body must be twisted manually to prevent fluid from escaping from the balloon. *See Urspringer*, col. 3, ll. 55-60 (“After inflation, balloon body 38 is twisted with respect to ring 34. The balloon neck 36 will then assume a twisted state within slot, aperture 18, which effectually will prevent the escape of the fluid from the balloon body 38.”) *Boise* relies on the use of tieable “balloon ties” and “ribbons,” which does not cure the deficiency of *Urspringer*. *See, e.g., Boise*, ¶0029.

For at least these reasons, independent Claim 1 is allowable over the cited references, as are all claims depending therefrom. Claims 21, 22 and 28 are allowable for analogous reasons. For example, the cited references, either alone or in combination, do not disclose “the elastic valve being configured to automatically close, upon removal of the tube from the elastic container, to seal the fluid inside the elastic container,” as recited in independent Claim 21, as amended. As another example, the cited references, either alone or in combination, do not disclose “wherein the connecting force is provided by an elastic valve configured to automatically seal the balloon if the connecting force is overcome,” as recited in dependent Claim 28, as amended.

For at least these reasons, Applicant respectfully requests withdrawal of the rejections under § 103 and allowance of Claims 1-5, 8-15, 21, 22, and 28-29. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

#### No Waiver

Applicant’s arguments and amendments are without prejudice or disclaimer. Applicant reserves the right to discuss the distinctions between the applied references and the claims in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to the Examiner’s additional statements. The example distinctions discussed by Applicant are sufficient to overcome the rejections.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

12

Request for Evidentiary Support

Should any of the above asserted rejections be maintained, Applicants respectfully request appropriate evidentiary support. Additionally, if the Examiner is relying upon “common knowledge” or “well known” principles to establish a rejection, Applicants request that a reference be provided in support of this position pursuant to M.P.E.P. § 2144.03. Furthermore, to the extent that the Examiner maintains any rejection based on an “Official Notice” or other information within the Examiner’s personal knowledge, Applicants respectfully request that the Examiner cite a reference as documentary evidence in support of this position.

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

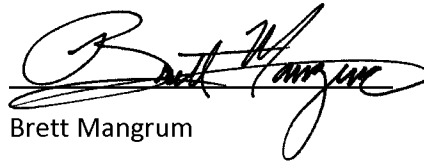
13

CONCLUSION

Applicant respectfully asks that the application be examined in view of the amendments to the claims.

It is believed that no other fee is due at this time.

Respectfully submitted,  
Attorney for Applicant

A handwritten signature in black ink, appearing to read "Brett Mangrum", is written over a horizontal line.

Brett Mangrum

Reg. No. 64,783

Date: January 20, 2015

Customer No. 45507

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	21257199
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	96658
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	20-JAN-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	17:43:03
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	1-20-15-Response.pdf	655425 95ea4a460368cc29d5a5a2680da93367e0718c24	no	13

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**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

## POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number

Filing Date

14/492,487

Sep. 22, 2014

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☐ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

OR

☒ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☐ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

Firm or  
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I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

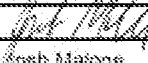
Josh Malone

- ☒ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☐ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

### SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature



Date (Optional)

Name

Josh Malone

Title

**NOTE:** Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 or visit [www.uspto.gov](http://www.uspto.gov). File History of U.S. Patent No. 9,051,066

## POWER OF ATTORNEY BY APPLICANT

No more than ten (10) patent practitioners total may be appointed as set forth below by name and registration number. This page need not be submitted if appointing the Patent Practitioner(s) associated with a Customer Number (see form PTO/AIA/82B):

Name	Registration Number
Brett. A. Mangrum	64,783
Manjula Variyam	62,982

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	21259694
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	96658
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	20-JAN-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	21:43:13
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	aia0082-executed.pdf	379338 0035f50027840709d5c403fc099f347a486543b6	no	2

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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>14/492,487</b>		Filing Date <b>09/22/2014</b>		<input type="checkbox"/> To be Mailed	
---	--	--	--	--	---	--	----------------------------------	--	---------------------------------------	--

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

### APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))			If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

### APPLICATION AS AMENDED – PART II

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	<b>01/20/2015</b>	CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(i))	* 23	Minus	** 20	= 3	x \$40 =	120
	Independent (37 CFR 1.16(h))	* 4	Minus	***3	= 1	x \$210 =	210
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						<b>330</b>	

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
		CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE							

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

 LIE  
/MONICA FRANCIS/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/492,487	09/22/2014	JOSHUA MALONE	02-14224

CONFIRMATION NO. 4365

96658  
Variyam Law Firm, PLLC  
2117 Country Club Drive  
Plano, TX 75074



\*OC000000073055108\*

Cc: Brett. A. Mangrum  
411 Crestfield Ct.  
Sunnyvale, TX 75182

Date Mailed: 01/27/2015

**DENIAL OF REQUEST FOR POWER OF ATTORNEY**

The request for Power of Attorney filed 01/20/2015 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- ☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☐ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(c) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) of \_\_\_\_\_, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- ☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.
- ☐ Only one Customer Number can be designated for the Power of Attorney in an application. The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.
- ☐ A request under 37 CFR 1.48 to add an inventor was granted in this application, however, no power of attorney consistent with the power of attorney granted by the originally named inventive entity has been



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received. Thus, the addition of the inventor has resulted in the loss of power of attorney in the application. See 37 CFR 1.32(e).

- ☐ The power of attorney has not been accepted because the party who is giving power of attorney has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A patent owner who was not the applicant must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).
- ☐ The power of attorney from the inventors has not been accepted because it is a copy from a prior national application for which benefit is claimed and the continuing application names an inventor who was not named as an inventor in the prior application.
- ☒ The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).
- ☐ Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

Any inquiries regarding this notice should be directed to the Application Assistance Unit at 571-272-4200.

A handwritten signature in cursive script, appearing to be "Cm".

Application Assistance Unit  
571-272-4200





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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/492,487	09/22/2014	JOSHUA MALONE	02-14224

96658  
Variyam Law Firm, PLLC  
2117 Country Club Drive  
Plano, TX 75074

**CONFIRMATION NO. 4365**  
**MISCELLANEOUS NOTICE**



Date Mailed: 01/28/2015

A communication which cannot be delivered in electronic form has been mailed to the applicant.

## POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
14/492,487	Sep. 22, 2014

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☐ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

OR

☒ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☐ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

Firm or Individual Name	Brett A. Mangrum				
Address	1515 N. Town East Blvd., STE 138				
City	Mesquite	State	TX	Zip	75150
Country	U.S.A.				
Telephone	469-401-2659	Email	brett.mangrum@gmail.com		

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Tinnus Enterprises, LLC

- ☐ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

### SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature

Date (Optional)

Name

Josh Malone

Title

President, Tinnus Enterprises, LLC

**NOTE:** Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## POWER OF ATTORNEY BY APPLICANT

No more than ten (10) patent practitioners total may be appointed as set forth below by name and registration number. This page need not be submitted if appointing the Patent Practitioner(s) associated with a Customer Number (see form PTO/AIA/82B):

Name	Registration Number
Brett A. Mangrum	64,783

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	21376757
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	96658
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	02-FEB-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	18:35:08
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	aia0082.pdf	499812 ae21a98167db23623df39763c0b6662fc8e346ca	no	2

**Warnings:****Information:**

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/492,487	09/22/2014	JOSHUA MALONE	02-14224

96658  
Variyam Law Firm, PLLC  
3244 Caravan Drive  
Plano, TX 75025

**CONFIRMATION NO. 4365**  
**POWER OF ATTORNEY NOTICE**



\*OC000000073302721\*

Date Mailed: 02/09/2015

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 02/02/2015.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/ttkim/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/492,487	09/22/2014	JOSHUA MALONE	02-14224

Brett A. Mangrum  
Ste 138  
1515 N. Town East Blvd.  
Mesquite, TX 75150

**CONFIRMATION NO. 4365**  
**POA ACCEPTANCE LETTER**



\*OC000000073302791\*

Date Mailed: 02/09/2015

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 02/02/2015.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/tkim/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		14492487
	Filing Date		2014-09-22
	First Named Inventor	Joshua Malone	
	Art Unit	3751	
	Examiner Name	ST.CLAIR, ANDREW D	
	Attorney Docket Number	02-14224	

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Patent citation information please click the Add button.

Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20150056887		2015-02-26	Kendall D. Harter	

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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> i	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1							<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

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NON-PATENT LITERATURE DOCUMENTS				Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T5	



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	14492487
Filing Date	2014-09-22
First Named Inventor	Joshua Malone
Art Unit	3751
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

1		<input type="checkbox"/>
---	--	--------------------------

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

**EXAMINER SIGNATURE**

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number 2270	14492487
Filing Date	2014-09-22
First Named Inventor	Joshua Malone
Art Unit	3751
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ A certification statement is not submitted herewith.

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Brett A. Mangrum/	Date (YYYY-MM-DD)	2015-02-28
Name/Print	Brett A. Mangrum	Registration Number	64,783

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

**Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal				
<b>Application Number:</b>		14492487		
<b>Filing Date:</b>		22-Sep-2014		
<b>Title of Invention:</b>		SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		
<b>First Named Inventor/Applicant Name:</b>		JOSHUA MALONE		
<b>Filer:</b>		Brett A. Mangrum		
<b>Attorney Docket Number:</b>		02-14224		
Filed as Large Entity				
<b>Filing Fees for Utility under 35 USC 111(a)</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Submission- Information Disclosure Stmt	1806	1	180	180
<b>Total in USD (\$)</b>				<b>180</b>

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	21630746
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Correspondence Address:</b>	Brett A. Mangrum - Ste 138 1515 N. Town East Blvd. Mesquite TX 75150 US 4694012659 brett.mangrum@gmail.com
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	28-FEB-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	15:00:03
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 180

RAM Confirmation Number

Deposit Account

Authorized User

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	Malone_IDS_2-28-2015.pdf	612228 0ea182499953e13502f353e960686f37608876c6	no	4

### Warnings:

### Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30601 f3e5bf7297ef1623ebeb972a9dce97a823cd8e9e	no	2
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### Warnings:

### Information:

Total Files Size (in bytes):			642829
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

### New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

### National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

### New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

# CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	14/492,487
Filing Date	09/22/2014
First Named Inventor	Joshua Malone
Art Unit	3751
Examiner Name	Andrew St. Clair
Attorney Docket Number	02-14224

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with  
Customer Number:

130382

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

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Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant



Attorney or agent of record. Registration Number \_\_\_\_\_



Registered practitioner named in the application transmittal papers who acts in a representative capacity under 37 CFR 1.34. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Signature

Typed or Printed  
Name

Joshua Malone

Date 02/27/2015

Telephone 972-689-8124

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# **CHANGE OF CORRESPONDENCE ADDRESS** *Application*

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	14/492,487
Filing Date	Sep. 22, 2014
First Named Inventor	Josh Malone
Art Unit	4365
Examiner Name	Andrew D. St. Clair
Attorney Docket Number	NO. 02-14224

Please change the Correspondence Address for the above-identified patent application to:



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Customer Number:

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This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant



Attorney or agent of record. Registration Number 64,783.



Registered practitioner named in the application transmittal papers who acts in a representative capacity under 37 CFR 1.34. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_.

Signature /Brett A. Mangrum/

Typed or Printed  
Name Brett A. Mangrum

Date 3/4/2015

Telephone 469-401-2659

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications.  
Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	21679574
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Correspondence Address:</b>	Brett A. Mangrum - Ste 138 1515 N. Town East Blvd. Mesquite TX 75150 US 4694012659 brett.mangrum@gmail.com
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	04-MAR-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	18:57:35
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 219 of 360 PageID #: 2279					
Document Number	Document Description	File Name	File Size (Bytes) Message Digest	Multiple Part / .zip	Pages (if appl.)
1	Change of Address	aia0122.pdf	141459	no	1
			327b4a3854f9b9afc106e1a85a713121f985e2d2		
Warnings:					
Information:					
Total Files Size (in bytes):			141459		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		14492487
	Filing Date		2014-09-22
	First Named Inventor	Joshua Malone	
	Art Unit	3751	
	Examiner Name	ST.CLAIR, ANDREW D	
	Attorney Docket Number	02-14224	

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	2617624		1952-11-11	Andrew Jackson Annis	
	2	5381964		1995-01-17	John M. Reyna	
	3	5439199		1995-08-08	Michael Briggs et al.	
	4	8141326		2012-03-27	Chialeh Wang	

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Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20140212074		2013-01-25	Lance Durst	

If you wish to add additional U.S. Published Application citation information please click the Add button.

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FOREIGN PATENT DOCUMENTS								Remove
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number 2281		Filing Date 2014-09-22	
First Named Inventor Joshua Malone		Art Unit 3751	
Examiner Name ST.CLAIR, ANDREW D		Attorney Docket Number 02-14224	

1	WO2015/027187	US		2015-02-26	Kendall D. Harter et al.	<input type="checkbox"/>
2	GB294273	GB		1928-07-20	James Simpson et al.	<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button **Add**

**NON-PATENT LITERATURE DOCUMENTS**

**Remove**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1		<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

**EXAMINER SIGNATURE**

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number 2282	14492487
Filing Date	2014-09-22
First Named Inventor	Joshua Malone
Art Unit	3751
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ A certification statement is not submitted herewith.

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Brett A. Mangrum/	Date (YYYY-MM-DD)	2015-03-19
Name/Print	Brett A. Mangrum	Registration Number	64,783

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	21824478
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	130382
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	19-MAR-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	16:38:21
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	Malone_IDS_3-19-2015.pdf	612320 ef8ba2b1bb87df779d923587e46ad007d14d1754	no	4

**Warnings:****Information:**



**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

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**National Stage of an International Application under 35 U.S.C. 371**

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**New International Application Filed with the USPTO as a Receiving Office**

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

130382 7590 03/20/2015  
Brett Mangrum  
1515 N Town East Blvd., STE 138  
Mesquite, TX 75150

EXAMINER
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STCLAIR, ANDREW D

ART UNIT	PAPER NUMBER
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3754

MAIL DATE	DELIVERY MODE
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03/20/2015

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Applicant-Initiated Interview Summary</b>	2287 Application No. 14/492,487	Applicant(s) MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	

All participants (applicant, applicant's representative, PTO personnel):

(1) ANDREW ST.CLAIR. (3) BRETT MANGRUM.

(2) KEVIN SHAVER. (4) JOSH MALONE.

Date of Interview: 18 March 2015.

Type: ☒ Telephonic ☐ Video Conference  
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☒ Yes ☐ No.  
 If Yes, brief description: An example of the product was provided for discussion during the interview, product is substantially similar to the device shown in figure 1.

Issues Discussed ☐ 101 ☒ 112 ☒ 102 ☒ 103 ☐ Others  
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1 and 26.

Identification of prior art discussed: Boise (US 2008/0121309), Urspringer (US 6,007,403), Bonnet (US 5,444,962).

Substance of Interview  
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Discussed example of product mailed by Applicant, and discussed claim 1 as amended in the response filed January 20, 2015. No specific claim language was agreed upon at this stage. Examiner will update search and contact Applicant's representative before issuing the next Office Action. .

**Applicant recordation instructions:** The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/ANDREW ST.CLAIR/ Examiner, Art Unit 3754	/KEVIN P. SHAVER/ Supervisory Patent Examiner, Art Unit 3754
--	---

**Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

**Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**  
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

**37 CFR §1.2 Business to be transacted in writing.**

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

**Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,444,962 A	08-1995	Bonnet, Henri	53/417
*	B	US-6,047,866 A	04-2000	Brown, Jack C.	222/608
*	C	US-2010/0326212 A1	12-2010	Furey et al.	73/863.31
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	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

130382 7590 03/20/2015  
Brett Mangrum  
1515 N Town East Blvd., STE 138  
Mesquite, TX 75150

EXAMINER
STCLAIR, ANDREW D

ART UNIT	PAPER NUMBER
3754	

MAIL DATE	DELIVERY MODE
03/20/2015	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b><i>Applicant-Initiated Interview Summary</i></b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	14/492,487		MALONE, JOSHUA	
	<b>Examiner</b>		<b>Art Unit</b>	
	ANDREW ST.CLAIR		3754	

All participants (applicant, applicant's representative, PTO personnel):

(1) ANDREW ST.CLAIR. (3) BRETT MANGRUM.

(2) KEVIN SHAVER. (4) JOSH MALONE.

Date of Interview: 18 March 2015.

Type: ☒ Telephonic ☐ Video Conference  
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☒ Yes ☐ No.  
 If Yes, brief description: An example of the product was provided for discussion during the interview, product is substantially similar to the device shown in figure 1.

Issues Discussed ☐ 101 ☒ 112 ☒ 102 ☒ 103 ☐ Others  
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1 and 26.

Identification of prior art discussed: Boise (US 2008/0121309), Urspringer (US 6,007,403), Bonnet (US 5,444,962).

**Substance of Interview**  
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Discussed example of product mailed by Applicant, and discussed claim 1 as amended in the response filed January 20, 2015. No specific claim language was agreed upon at this stage. Examiner will update search and contact Applicant's representative before issuing the next Office Action.

**Applicant recordation instructions:** The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/ANDREW ST.CLAIR/ Examiner, Art Unit 3754	/KEVIN P. SHAVER/ Supervisory Patent Examiner, Art Unit 3754
--	---



**Summary of Record of Interview Requirements****Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

**Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**  
**Paragraph (b)**

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

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<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST. CLAIR	Art Unit 3754	Page 1 of 1

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	F	US-			
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	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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**NOTICE OF ALLOWANCE AND FEE(S) DUE**

130382 7590 04/07/2015  
Brett Mangrum  
1515 N Town East Blvd., STE 138  
Mesquite, TX 75150

EXAMINER	
STCLAIR, ANDREW D	
ART UNIT	PAPER NUMBER

3754

DATE MAILED: 04/07/2015

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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14/492,487 09/22/2014 JOSHUA MALONE 02-14224 4365

TITLE OF INVENTION: SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	07/07/2015

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

130382 7590 04/07/2015  
**Brett Mangrum**  
**1515 N Town East Blvd., STE 138**  
**Mesquite, TX 75150**

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

TITLE OF INVENTION: SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	07/07/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
STCLAIR, ANDREW D	3754	141-234000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365
130382	7590	04/07/2015	EXAMINER	
Brett Mangrum			STCLAIR, ANDREW D	
1515 N Town East Blvd., STE 138			ART UNIT	
Mesquite, TX 75150			PAPER NUMBER	

3754

DATE MAILED: 04/07/2015

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>Notice of Allowability</b>	<b>Application No.</b> 14/492,487	<b>Applicant(s)</b> MALONE, JOSHUA	
	<b>Examiner</b> ANDREW ST.CLAIR	<b>Art Unit</b> 3754	<b>AIA (First Inventor to File) Status</b> Yes

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/20/15.  
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1, 3-10, 12-15, and 29. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

a) ☐ All    b) ☐ Some    \*c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has **THREE MONTHS FROM THE "MAILING DATE"** of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>3/19/15, 2/28/15</u></li> <li>3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> <li>4. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.</li> </ol>	<ol style="list-style-type: none"> <li>5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>7. <input type="checkbox"/> Other _____.</li> </ol>
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/ANDREW ST.CLAIR/ Examiner, Art Unit 3754	/KEVIN P. SHAVER/ Supervisory Patent Examiner, Art Unit 3754
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Application/Control Number: 14/492,487  
Art Unit: 3754

Page 2

### DETAILED ACTION

1. The present application, filed on or after March 16, 2013, has been examined under the first inventor to file provisions of the AIA.

#### *Examiner's Amendment*

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Brett Mangrum, reg. # 64,783, on March 26, 2015.

All of the amendments of January 20, 2015 are entered. **Claims 2, 11, 21-24, and 26-28 are cancelled.** Additionally, claims 1 and 29 are amended as follows.

1. (Currently Amended) An apparatus comprising:

a housing comprising an opening at a first end, and a plurality of holes extending through a common face of the housing ~~two-dimensional array of holes~~ at a second end;

a plurality of flexible hollow tubes, each hollow tube attached to the housing at a respective one of the holes at the second end of the housing;

a plurality of containers, each container removably attached to a respective one of the hollow tubes; and

a plurality of elastic fasteners, each elastic fastener clamping a respective one of the



Application/Control Number: 14/492,487

Page 3

Art Unit: 3754

plurality of containers to a corresponding hollow tube, and each elastic fastener configured to provide a connecting force that is not less than a weight of one of the containers when substantially filled with water, and to automatically seal its respective one of the plurality of containers upon detaching the container from its corresponding hollow tube, such that shaking the hollow tubes in a state in which the containers are substantially filled with water overcomes the connecting force and causes the containers to detach from the hollow tubes thereby causing the elastic fasteners to automatically seal the containers,

wherein the apparatus is configured to fill the containers substantially simultaneously with a fluid.

29. (Currently Amended) The apparatus of Claim 1, wherein each hole at the second end of the housing extends through an outer surface of the housing, the outer surface opposing the opening at the first end of the housing.

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

The closest prior art is Boise (US 2008/0121309) and Urspringer (US 6,007,403) which were asserted in the previous Office Action. The "common face" language of claim 1 distinguishes the present invention from Boise, in particular figures 4 and 5 of that reference. Boise also does not disclose containers have elastic fasteners meeting the requirements of claim 1. Lines 8-15 of claim 1 as shown above define a configuration and functional capability of the elastic fasteners that is not taught by Urspringer (US 6,007,403). In particular, the language

Application/Control Number: 14/492,487

Page 4

Art Unit: 3754

beginning with "such that shaking..." defines an upper limit of the connecting force and thus defines the elastic fastener in a way which distinguishes over Urspringer. On page 11 of Applicant's remarks of January 20, 2015, Applicant indicates that the elastic fastener of the present invention seal automatically, which distinguishes them from the fasteners of Urspringer which must be twisted. These distinguishing features and all of the other claimed subject matter in claim 1 define an apparatus which is not anticipated nor obvious from Boise, Urspringer, and the other prior art of record.

### *Conclusion*

4. The prior art made of record on the attached PTO-892 is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW ST.CLAIR whose telephone number is (571)270-0238. The examiner can normally be reached on 7:30 am - 6:00 pm EST Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 14/492,487

Page 5

Art Unit: 3754

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ADS/

Art Unit 3754

/KEVIN P. SHAVER/

Supervisory Patent Examiner, Art Unit 3754

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 1 of 8

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*	B	US-1,098,286 A	05-1914	Herbert	446/222
*	C	US-1,166,690 A	01-1916	Miller	446/222
*	D	US-1,350,935 A	08-1920	FRANK PASTOR	446/222
*	E	US-1,478,757 A	12-1923	AUGUSTIN O'CONNOR FREDERICK	446/222
*	F	US-1,484,575 A	02-1924	SHULIN NEAL P	239/602
*	G	US-1,703,463 A	02-1929	WEIGEL RAYMOND E	446/186
*	H	US-2,027,225 A	01-1936	GILL HARRY R	446/226
*	I	US-2,161,274 A	06-1939	VICTOR BEHREND	446/224
*	J	US-2,553,941 A	05-1951	RAAB SANFORD Z	446/186
*	K	US-2,757,960 A	08-1956	HATCHER MERREL E	239/229
*	L	US-2,922,252 A	01-1960	DAM ALBERT VAN et al.	446/221
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*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	www.conwinonline.com/shop/air-force4/, accessed 3/19/15, published 6/11/2013
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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2305

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 2 of 8

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*	B	US-3,118,672 A	01-1964	JACOB DORN RANDOLPH	473/610
*	C	US-3,154,050 A	10-1964	HANSON CHRIS A	116/210
*	D	US-3,161,998 A	12-1964	LENNOX BRUCE J	141/313
*	E	US-3,301,490 A	01-1967	HRUBY JR JOHN O	239/227
*	F	US-3,368,302 A	02-1968	DOM MARTINO	446/224
*	G	US-3,580,303 A	05-1971	Roberge, Robert A.	141/173
*	H	US-3,820,200 A	06-1974	Myers	24/30.5S
*	I	US-3,978,555 A	09-1976	Weisenthal, Marvin L.	24/543
*	J	US-4,212,460 A	07-1980	Kraft, Donald J.	473/577
*	K	US-4,416,038 A	11-1983	Morrone, III, Joseph A.	24/487
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2306

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 3 of 8

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*	B	US-4,892,500 A	01-1990	Lau, Po Chun	446/221
*	C	US-4,911,379 A	03-1990	Kopelman, Shari D.	244/31
*	D	US-4,944,709 A	07-1990	Lovik, Craig J.	446/221
*	E	US-5,004,633 A	04-1991	Lovik, Craig J.	428/9
*	F	US-5,029,851 A	07-1991	Hagen, Elmer R.	273/458
*	G	US-5,036,985 A	08-1991	Lovik, Craig J.	211/13.1
*	H	US-5,119,281 A	06-1992	Akman, Alp T.	362/253
*	I	US-5,127,867 A	07-1992	Lau, Po C.	446/221
*	J	US-5,135,222 A	08-1992	Spector, Donald	473/576
*	K	US-D335,901 S	05-1993	Gill, III, H. Ross	D21/440
*	L	US-5,240,450 A	08-1993	Graham, David B.	446/267
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2307

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 4 of 8

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*	B	US-5,370,161 A	12-1994	Shafer, Erik J.	141/114
*	C	US-5,444,962 A	08-1995	Bonnet, Henri	53/417
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*	E	US-5,509,540 A	04-1996	Pomerantz, Carl	211/13.1
*	F	US-5,538,456 A	07-1996	Liu et al.	446/473
*	G	US-5,531,626 A	07-1996	Deal, Jeffry T.	446/473
*	H	US-5,588,896 A	12-1996	Goodman, Gregory L.	446/187
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*	K	US-5,732,530 A	03-1998	Pfaff, Kathleen Sue	53/403
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2308

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 5 of 8

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*	C	US-5,975,983 A	11-1999	Panec, Donald J.	446/475
*	D	US-6,007,403 A	12-1999	Urspringer et al.	446/222
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<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 6 of 8

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*	C	US-6,598,807 B1	07-2003	Anzalone, John	239/302
*	D	US-6,716,083 B1	04-2004	Castro, Antonio L.	446/220
*	E	US-2004/0127311 A1	07-2004	Brock, Nathan Randall	473/577
*	F	US-2004/0174718 A1	09-2004	Ohlund, Stephen K	362/565
*	G	US-6,793,094 B2	09-2004	Turnbough, Mitchell	220/603
*	H	US-2005/0004430 A1	01-2005	Lee et al.	600/116
*	I	US-2005/0138862 A1	06-2005	O'Connor, Jeremiah	047/041.12
*	J	US-2005/0176339 A1	08-2005	Cuisinier, Jarret P.	446/220
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2310

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 7 of 8

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*	C	US-7,762,214 B2	07-2010	Ritchey, Sharon A.	119/707
*	D	US-2010/0326212 A1	12-2010	Furey et al.	73/863.31
*	E	US-2011/0151744 A1	06-2011	Archer et al.	446/222
*	F	US-2011/0253256 A1	10-2011	FINLEY, Michael S.	141/98
*	G	US-8,037,906 B1	10-2011	Grillo, Edward J.	141/10
*	H	US-8,141,326 B2	03-2012	Wang, Chialeh	53/284.7
*	I	US-8,251,111 B2	08-2012	Nelson et al.	141/361
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2311

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 8 of 8

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①2 **DEMANDE DE BREVET D'INVENTION**

**A1**

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demande : 25.07.08 Bulletin 08/30.

⑤6 Liste des documents cités dans le rapport de  
recherche préliminaire : *Se reporter à la fin du  
présent fascicule*

⑥0 Références à d'autres documents nationaux  
apparentés :

⑦1 Demandeur(s) : *BILLON PIERRE — FR.*

⑦2 Inventeur(s) : *BILLON PIERRE.*

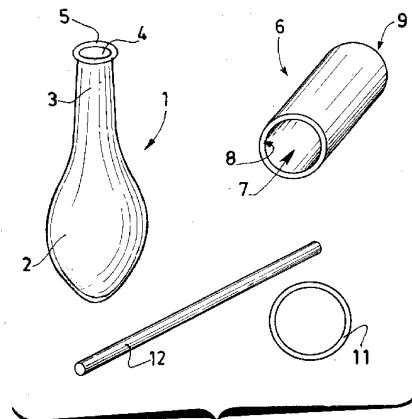
⑦3 Titulaire(s) :

⑦4 Mandataire(s) : *GERMAIN ET MAUREAU.*

⑤4 **PROCEDE DE GONFLAGE ET D'OBTURATION D'UN BALLON DE BAUDRUCHE OU SIMILAIRE, ET KITS  
PERMETTANT LA MISE EN OEUVRE DE CE PROCEDE.**

⑤7 L'un des kits pour la mise en oeuvre du procédé de  
gonflage et d'obturation d'un ballon de baudruche  
comprend:

- au moins un ballon de baudruche (1) comportant une poche gonflable (2) et un embout (3) muni d'une ouverture (4) permettant le gonflage de la poche,
- au moins un corps de gonflage (6) présentant, d'une part une surface extérieure, et d'autre part une surface intérieure délimitant un canal de gonflage (7), le canal de gonflage présentant une première et une seconde extrémités ouvertes (8,9),
- au moins un anneau élastique (11)



FR 2 911 512 - A1



La présente invention concerne un procédé de gonflage et d'obturation d'un ballon de baudruche ou similaire, ainsi que des kits permettant la mise en œuvre de ce procédé.

Un tel ballon comporte une poche réalisée dans un matériau  
5 élastique, tel du caoutchouc, ainsi qu'un embout permettant de gonfler la poche. L'embout comporte une ouverture qui permet l'introduction d'un fluide, de préférence de l'air ou de l'hélium, pour gonfler le ballon.

L'ouverture est munie à sa périphérie d'un petit bourrelet qui permet le maintien de l'embout pendant le gonflage. Ce dernier peut être  
10 effectué soit à la bouche, soit à l'aide d'un gonfleur. Un tel ballon est généralement réalisé d'une seule pièce.

Une fois le ballon gonflé, il faut maintenir le fluide sous pression qu'il contient à l'intérieur de la poche. De nombreuses astuces existent pour alors fermer l'embout et empêcher le fluide introduit dans la poche de ressortir.  
15 On peut par exemple étrangler l'embout à l'aide d'un lien ou d'un élastique. On peut aussi réaliser un noeud avec l'embout. Il existe également des attaches qui permettent d'une part de fermer l'embout et d'autre part d'attacher le ballon gonflé à un support.

Toutes ces solutions font appel à une certaine habileté manuelle  
20 et/ou à un accessoire extérieur, dont le prix de revient est parfois supérieur au prix de revient du ballon de baudruche lui-même.

La présente invention a alors pour but de fournir un procédé de gonflage et d'obturation d'un ballon de baudruche qui soit économique, rapide et aisé à mettre en œuvre.

25 A cet effet, la présente invention concerne un procédé de gonflage et d'obturation d'un ballon de baudruche ou similaire comportant une poche gonflable et un embout muni d'une ouverture permettant le gonflage de la poche, caractérisé en ce qu'il comprend les étapes consistant à :

a) prévoir un corps de gonflage présentant, d'une part une surface  
30 extérieure, et d'autre part une surface intérieure délimitant un canal de gonflage, le canal de gonflage présentant une première et une seconde extrémités ouvertes,

b) insérer le ballon de baudruche dans le canal de gonflage de  
35 manière à ce que l'embout du ballon fasse saillie de la première extrémité ouverte du canal de gonflage,

c) replier l'embout du ballon sur la surface extérieure du corps de gonflage,

d) positionner un moyen élastiquement déformable sur la portion de l'embout repliée sur la surface extérieure du corps de gonflage de manière à  
5 enserrer l'embout sur cette dernière,

e) si besoin est, déplacer la poche du ballon à travers le canal de gonflage jusqu'à ce qu'elle soit située en retrait de la seconde extrémité ouverte du canal de gonflage,

f) gonfler la poche du ballon depuis la seconde extrémité ouverte  
10 du canal de gonflage,

g) retirer le ballon du corps de gonflage.

Lorsque le ballon est retiré du corps de gonflage, le moyen élastique exerce une pression sur l'embout suffisante pour étrangler de manière étanche ce dernier.

15 Ainsi, il devient rapide et aisée de gonfler et obturer le ballon. En effet, des gestes simples suffisent pour fermer l'embout du ballon et empêcher le fluide introduit dans la poche de ressortir.

De plus, le procédé de gonflage et d'obturation selon l'invention est économique compte tenu du fait que les moyens utilisés pour mettre en œuvre  
20 ce dernier sont simples et bon marché.

Avantageusement, le moyen élastiquement déformable est un anneau élastique.

De ce fait, le procédé selon l'invention présente également l'avantage de pouvoir permettre une réutilisation du ballon. En effet, sauf à  
25 effectuer un nœud inextricable, l'anneau peut facilement être retiré. Le ballon peut alors être récupéré et resservir ultérieurement. Dans ce cas, l'utilisation du corps de gonflage pour gonfler le ballon permet d'éviter un contact direct des lèvres d'un utilisateur avec l'embout du ballon, ce qui est fortement hygiénique et permet donc l'utilisation du ballon par un autre utilisateur avec des risques  
30 de contamination fortement diminués.

De préférence, l'étape d) consiste à :

d<sub>1</sub>) positionner l'anneau élastique sur la portion de l'embout repliée sur la surface extérieure du corps de gonflage de manière à enserrer l'embout sur cette dernière,

35 d<sub>2</sub>) puis tordre l'anneau en forme de huit et replier la boucle du huit qui n'est pas en contact avec l'embout autour de celui-ci.

Selon une autre caractéristique de l'invention, l'étape d<sub>2</sub>) est répétée plusieurs fois.

De préférence, l'étape consistant à déplacer la poche du ballon à travers le canal de gonflage est réalisée à l'aide d'une tige de poussée insérée  
5 dans le corps de gonflage depuis la seconde extrémité ouverte du canal de gonflage.

Selon une autre caractéristique de l'invention, le procédé comprend une étape réalisée avant l'étape g) consistant à tourner le ballon sensiblement selon son axe par rapport au corps de gonflage de manière à réaliser une  
10 obturation momentanée du ballon pendant l'étape g).

La présente invention concerne également un premier kit pour la mise en œuvre du procédé selon l'invention, caractérisé en ce qu'il comprend :

- au moins un ballon de baudruche comportant une poche gonflable et un embout muni d'une ouverture permettant le gonflage de la poche,
- 15 - au moins un corps de gonflage présentant, d'une part une surface extérieure, et d'autre part une surface intérieure délimitant un canal de gonflage, le canal de gonflage présentant une première et une seconde extrémités ouvertes.

De préférence, le premier kit comprend au moins un anneau  
20 élastique.

La présente invention concerne également un second kit pour la mise en œuvre du procédé selon l'invention, caractérisé en ce qu'il comprend :

- au moins un corps de gonflage présentant, d'une part une surface extérieure, et d'autre part une surface intérieure délimitant un canal de  
25 gonflage, le canal de gonflage présentant une première et une seconde extrémités ouvertes, et
- au moins un anneau élastique.

De préférence, les premier et second kits comprennent au moins une tige de poussée.

30 De toute façon l'invention sera bien comprise à l'aide de la description qui suit, en référence au dessin schématique indexé représentant, à titre d'exemple non limitatif, une forme d'exécution de ce procédé de gonflage et d'obturation d'un ballon de baudruche.

Figure 1 est une vue schématique d'un kit comprenant un ballon de  
35 baudruche, un anneau élastique, un corps de gonflage et une tige de poussée.

Figure 2 à 6 sont des vues en coupe montrant différentes étapes du procédé de gonflage et d'obturation selon l'invention.

Figure 7 est une vue partielle en perspective d'un ballon de baudruche fermé par un anneau élastique.

5 La figure 1 montre un ballon de baudruche 1 comportant une poche 2 gonflable réalisée dans un matériau élastique, ainsi qu'un embout 3.

L'embout 3, de manière connue, ne forme qu'une seule pièce avec la poche 2. Il présente une ouverture 4 sensiblement circulaire qui permet de gonfler la poche 2 en y introduisant un fluide sous pression, de l'air ou de  
10 l'hélium par exemple. L'ouverture 4 est munie à sa périphérie d'un bourrelet 5 réalisé dans la même matière que le reste du ballon de baudruche.

La figure 1 représente également un corps de gonflage 6 cylindrique. Le corps de gonflage 6 présente, d'une part une surface extérieure, et d'autre part une surface intérieure délimitant un canal de gonflage 7. Le  
15 canal de gonflage 7 présente une première extrémité ouverte 8 destinée à communiquer avec l'intérieur de la poche gonflable et une seconde extrémité ouverte 9 destinée à communiquer avec une unité de gonflage (non représentée). L'unité de gonflage peut être un gonfleur ou une personne souhaitant gonfler la poche du ballon.

20 Il doit être noté que le diamètre du canal de gonflage 7 correspond sensiblement à celui du ballon 1 lorsque ce dernier n'est pas gonflé.

La figure 1 montre un anneau élastique 11 destiné à fermer l'embout du ballon de baudruche. L'anneau 11 est de préférence réalisé dans la même matière que celle du ballon de baudruche 1.

25 La figure 1 montre enfin une tige de poussée 12.

Il va maintenant être décrit un procédé de gonflage et d'obturation du ballon de baudruche 1.

Le procédé comporte les étapes suivantes consistant à :

- prévoir le corps de gonflage 6,
- 30 - insérer le ballon de baudruche 1 dans le canal de gonflage 7 de manière à ce que l'embout 3 du ballon fasse saillie de la première extrémité 8 du canal de gonflage, comme montré sur la figure 2,
- replier l'embout 3 du ballon sur la surface extérieure du corps de gonflage 6, comme représenté sur la figure 3,



- positionner l'anneau élastique 11 sur la portion de l'embout 3 repliée sur la surface extérieure du corps de gonflage 6 de manière à enserrer l'embout 3 sur cette dernière, comme cela est représenté sur la figure 3,

- tordre l'anneau 11 en forme de huit et replier la boucle 11' du huit  
5 qui n'est pas en contact avec l'embout autour de celui-ci, comme cela est montré sur la figure 4,

- tordre de nouveau l'anneau 11 en forme de huit et replier la boucle 11'' du huit qui n'est pas en contact avec l'embout autour de celui-ci, comme cela est montré sur la figure 4,

10 - déplacer la poche 2 du ballon 1 à travers le canal de gonflage 7 jusqu'à ce qu'elle fasse saillie de la première extrémité 8 du canal de gonflage 7 à l'aide de la tige de poussée 12, comme représenté sur la figure 5.

- gonfler la poche 2 du ballon depuis la seconde extrémité ouverte 9 du canal de gonflage, comme cela est représenté sur la figure 6

15 - retirer manuellement le ballon 1 du corps de gonflage 6.

La figure 7 montre le ballon 1 gonflé, l'embout 3 étant fermé par l'anneau élastique 11.

Il doit être noté que l'étape consistant à tordre l'anneau 11 en forme de huit et replier la boucle du huit qui n'est pas en contact avec l'embout autour  
20 de celui-ci peut être répétée plusieurs fois afin d'assurer une fermeture parfaitement étanche de l'embout 3.

Il doit également être noté que l'étape consistant à déplacer la poche 2 du ballon 1 à travers le canal de gonflage 7 jusqu'à ce qu'elle soit située en retrait de la seconde extrémité 9 du canal de gonflage 7 pourrait ne  
25 pas être nécessaire si la longueur du ballon 1 était telle que la poche ne fasse pas saillie de la seconde extrémité ouverte 9 du canal de gonflage 7 lorsque l'embout 3 est replié sur la surface extérieure du corps 6.

Comme il va de soi, l'invention ne se limite pas à la seule forme d'exécution de ce procédé de gonflage et d'obturation, décrite ci-dessus à titre  
30 d'exemple, elle en embrasse au contraire toutes les variantes de réalisation. C'est ainsi notamment que le corps de gonflage pourrait être de toute autre forme, par exemple conique, et que l'anneau élastique pourrait faire partie intégrante de l'embout du ballon comme décrit dans le document FR 2 788 440. En outre, l'obturation du ballon pourrait également être réalisée  
35 en utilisant plusieurs anneaux élastiques.

## REVENDICATIONS

1. Procédé de gonflage et d'obturation d'un ballon de baudruche (1)  
5 ou similaire comportant une poche gonflable (2) et un embout (3) muni d'une  
ouverture (4) permettant le gonflage de la poche, caractérisé en ce qu'il  
comprend les étapes consistant à :
  - a) prévoir un corps de gonflage (6) présentant, d'une part une  
surface extérieure, et d'autre part une surface intérieure délimitant un canal de  
10 gonflage (7), le canal de gonflage présentant une première et une seconde  
extrémités ouvertes (8, 9),
    - b) insérer le ballon de baudruche dans le canal de gonflage (7) de  
manière à ce que l'embout (3) du ballon fasse saillie de la première extrémité  
ouverte (8) du canal de gonflage,
    - 15 c) replier l'embout (3) du ballon sur la surface extérieure du corps  
de gonflage (6),
      - d) positionner un moyen élastiquement déformable (11) sur la  
portion de l'embout repliée sur la surface extérieure du corps de gonflage de  
manière à enserrer l'embout sur cette dernière,
      - 20 e) si besoin est, déplacer la poche (2) du ballon à travers le canal  
de gonflage jusqu'à ce qu'elle soit située en retrait de la seconde extrémité  
ouverte (9) du canal de gonflage,
      - f) gonfler la poche du ballon depuis la seconde extrémité ouverte  
(9) du canal de gonflage,
      - 25 g) retirer le ballon du corps de gonflage (6).
  2. Procédé de gonflage et de d'obturation selon la revendication 1,  
caractérisé en ce que le moyen élastiquement déformable est un anneau  
élastique (11).
  3. Procédé de gonflage et d'obturation selon la revendication 2,  
30 caractérisé en ce que l'étape d) consiste à :
    - d<sub>1</sub>) positionner l'anneau élastique sur la portion de l'embout repliée  
sur la surface extérieure du corps de gonflage de manière à enserrer l'embout  
sur cette dernière,
    - d<sub>2</sub>) puis tordre l'anneau en forme de huit et replier la boucle du huit  
35 qui n'est pas en contact avec l'embout autour de celui-ci.

4. Procédé de gonflage et d'obturation selon la revendication 3, caractérisé en ce que l'étape d<sub>2</sub>) est répétée plusieurs fois.

5. Procédé de gonflage et d'obturation selon l'une des revendications 1 à 4, caractérisé en ce que l'étape consistant à déplacer la  
5 poche du ballon à travers le canal de gonflage est réalisée à l'aide d'une tige de poussée insérée dans le corps de gonflage depuis la seconde extrémité ouverte du canal de gonflage.

6. Procédé de gonflage et d'obturation selon l'une des revendications 1 à 5, caractérisé en ce que qu'il comprend une étape réalisée  
10 avant l'étape g) consistant à tourner le ballon sensiblement selon son axe par rapport au corps de gonflage de manière à réaliser une obturation momentanée du ballon pendant l'étape g).

7. Kit pour la mise en œuvre du procédé selon l'une des revendications 1 à 6, caractérisé en ce qu'il comprend :

15 - au moins un ballon de baudruche (1) comportant une poche gonflable et un embout muni d'une ouverture permettant le gonflage de la poche,

- au moins un corps de gonflage (6) présentant, d'une part une surface extérieure, et d'autre part une surface intérieure délimitant un canal de  
20 gonflage, le canal de gonflage présentant une première et une seconde extrémités ouvertes (8, 9),

8. Kit selon la revendication 7, caractérisé en ce qu'il comprend au moins un anneau élastique (11).

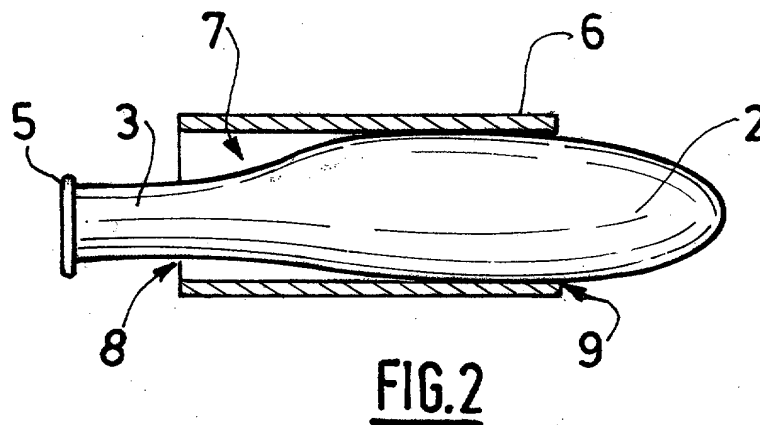
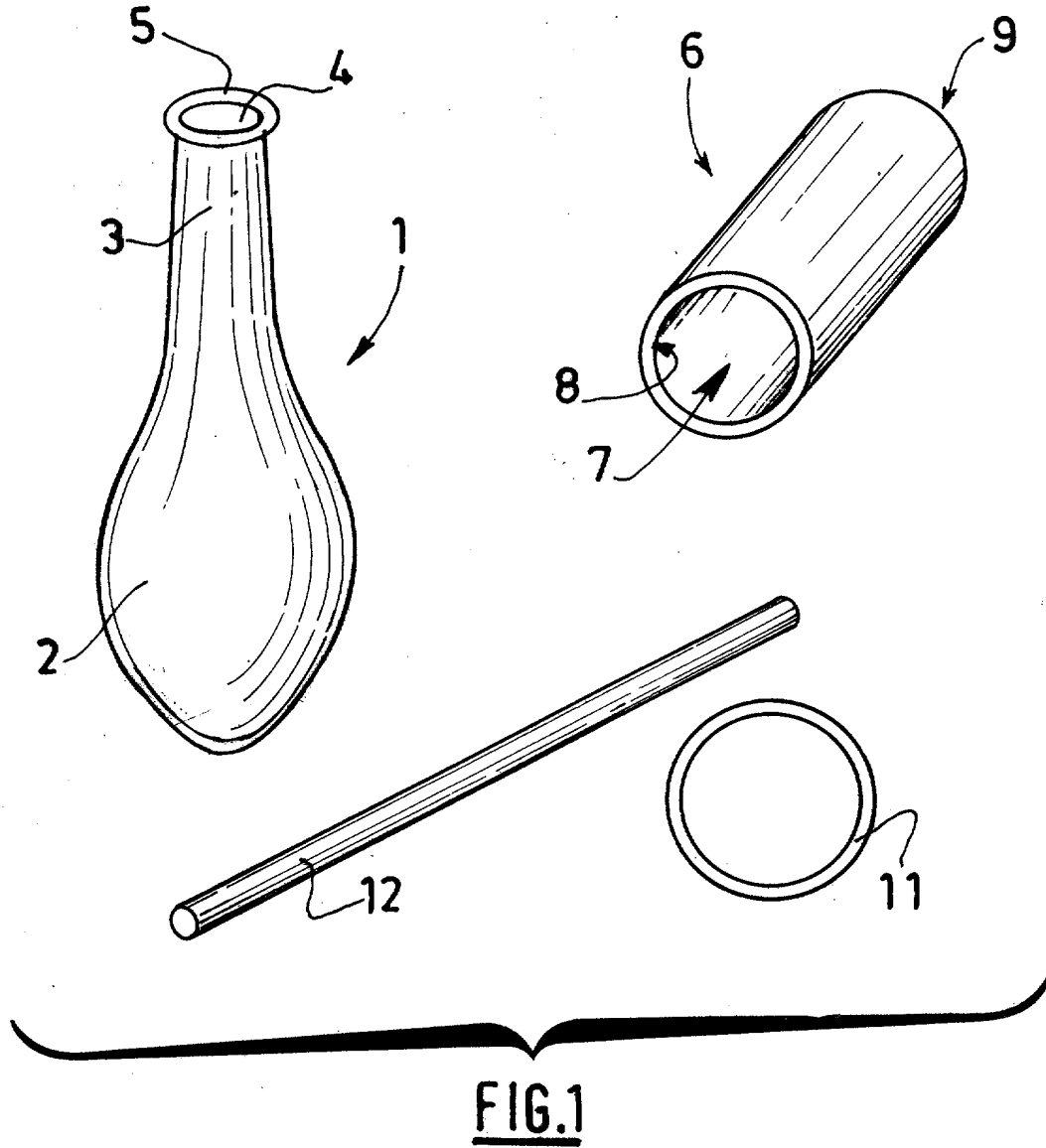
9. Kit pour la mise en œuvre du procédé selon l'une des revendications 1 à 6, caractérisé en ce qu'il comprend :

25 - au moins un corps de gonflage (6) présentant, d'une part une surface extérieure, et d'autre part une surface intérieure délimitant un canal de gonflage, le canal de gonflage présentant une première et une seconde extrémités ouvertes (8, 9), et

30 - au moins un anneau élastique (11).

10. Kit selon l'une des revendications 7 à 9, caractérisé en ce qu'il comprend au moins une tige de poussée (12).

1/3



2/3

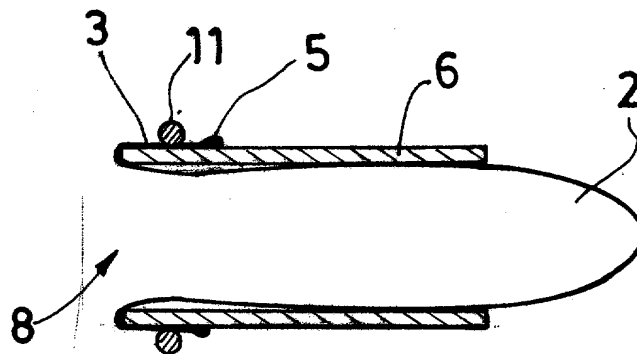


FIG. 3

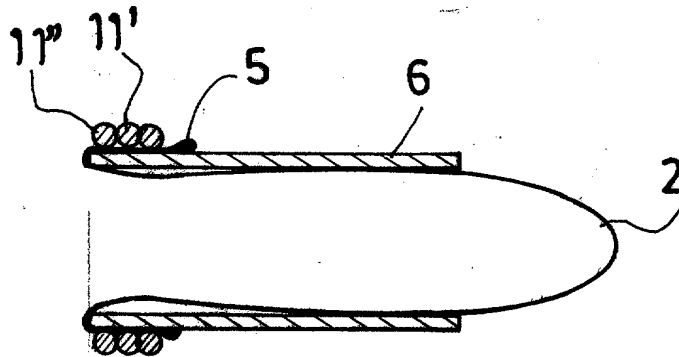


FIG. 4

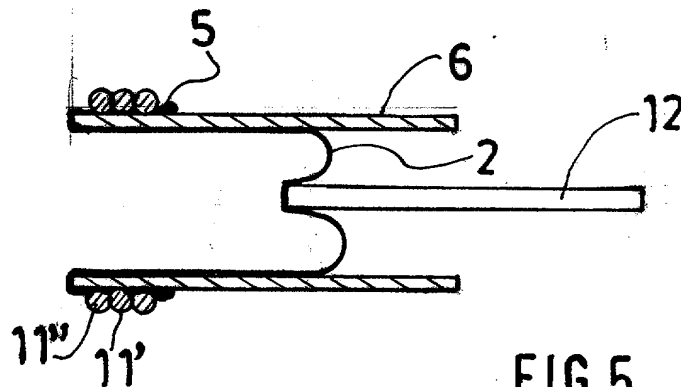


FIG. 5

3/3

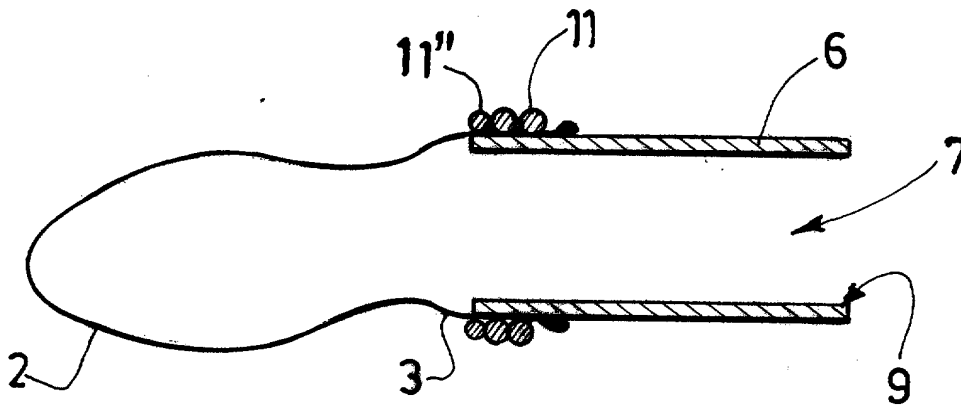


FIG. 6

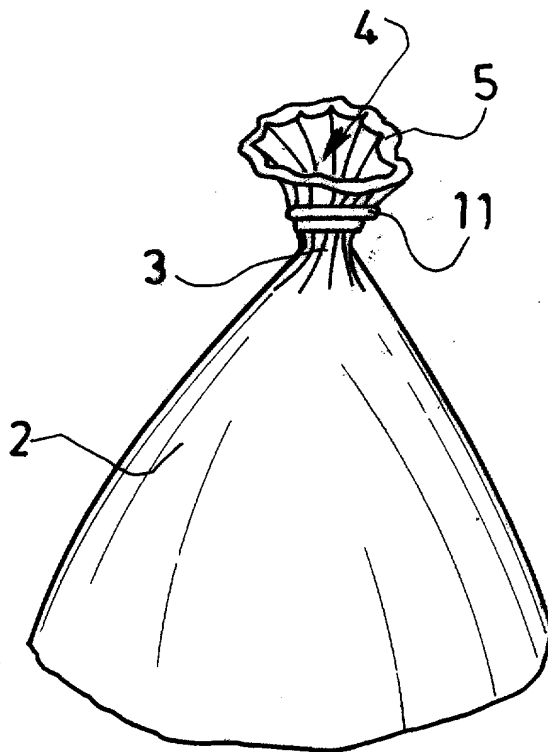


FIG. 7



**RAPPORT DE RECHERCHE  
PRÉLIMINAIRE**

N° d'enregistrement  
national

établi sur la base des dernières revendications  
déposées avant le commencement de la recherche

FA 689153  
FR 0700374

DOCUMENTS CONSIDÉRÉS COMME PERTINENTS		Revendication(s) concernée(s)	Classement attribué à l'invention par l'INPI
Catégorie	Citation du document avec indication, en cas de besoin, des parties pertinentes		
X	US 3 580 303 A (ROBERGE ROBERT A) 25 mai 1971 (1971-05-25) * colonne 2, ligne 45 - ligne 73 * * figures 13,14 *	7-9	A63B41/12 A63B41/04
X	US 898 105 A (W.P.HERBST) 8 septembre 1908 (1908-09-08) * le document en entier *	7-9	
X	US 2 161 274 A (VICTOR BEHREND) 6 juin 1939 (1939-06-06) * le document en entier *	7-9	
X	US 5 016 428 A (HELLING ROBERT W [US] ET AL) 21 mai 1991 (1991-05-21) * colonne 3, ligne 12 - ligne 16 * * figure 7 *	7,10	
			DOMAINES TECHNIQUES RECHERCHÉS (IPC)
			A63H A63B
Date d'achèvement de la recherche		Examineur	
26 juillet 2007		Turmo, Robert	
<p><b>CATÉGORIE DES DOCUMENTS CITÉS</b></p> <p>X : particulièrement pertinent à lui seul                      Y : particulièrement pertinent en combinaison avec un autre document de la même catégorie                      A : arrière-plan technologique                      O : divulgation non-écrite                      P : document intersalaire</p> <p>T : théorie ou principe à la base de l'invention                      E : document de brevet bénéficiant d'une date antérieure à la date de dépôt et qui n'a été publié qu'à cette date de dépôt ou qu'à une date postérieure.                      D : cité dans la demande                      L : cité pour d'autres raisons                      &amp; : membre de la même famille, document correspondant</p>			

2  
EPO FORM 1503 12.99 (P04C14)

**ANNEXE AU RAPPORT DE RECHERCHE PRÉLIMINAIRE  
RELATIF A LA DEMANDE DE BREVET FRANÇAIS NO. FR 0700374 FA 689153**


La présente annexe indique les membres de la famille de brevets relatifs aux documents brevets cités dans le rapport de recherche préliminaire visé ci-dessus.  
Les dits membres sont contenus au fichier informatique de l'Office européen des brevets à la date du **26-07-2007**  
Les renseignements fournis sont donnés à titre indicatif et n'engagent pas la responsabilité de l'Office européen des brevets, ni de l'Administration française

Document brevet cité au rapport de recherche		Date de publication	Membre(s) de la famille de brevet(s)	Date de publication
US 3580303	A	25-05-1971	AUCUN	
US 898105	A		AUCUN	
US 2161274	A	06-06-1939	AUCUN	
US 5016428	A	21-05-1991	AUCUN	

EPO FORM P0465

Pour tout renseignement concernant cette annexe : voir Journal Officiel de l'Office européen des brevets, No.12/82




<b>Issue Classification</b> 	<b>Application/Control No.</b> 14492487	<b>Applicant(s)/Patent Under Reexamination</b> MALONE, JOSHUA
	<b>Examiner</b> ANDREW STCLAIR	<b>Art Unit</b> 3754

CPC						
Symbol					Type	Version
B65B		3	/	04	F	2013-01-01
B65B		3	/	28	I	2013-01-01
A63H		2027	/	1041	A	2013-01-01
A63H		27	/	10	A	2013-01-01
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CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

/ANDREW STCLAIR/ Examiner.Art Unit 3754  (Assistant Examiner)	3/25/15  (Date)	<b>Total Claims Allowed:</b> 14	
/KEVIN P SHAVER/ Supervisory Patent Examiner.Art Unit 3754  (Primary Examiner)	03/27/2015  (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

<b>Issue Classification</b> 	<b>Application/Control No.</b> 14492487	<b>Applicant(s)/Patent Under Reexamination</b> MALONE, JOSHUA
	<b>Examiner</b> ANDREW STCLAIR	<b>Art Unit</b> 3754


US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION											
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED						
CROSS REFERENCE(S)																	
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																

/ANDREW STCLAIR/ Examiner.Art Unit 3754  (Assistant Examiner)	3/25/15  (Date)	<b>Total Claims Allowed:</b> 14	
/KEVIN P SHAVER/ Supervisory Patent Examiner.Art Unit 3754  (Primary Examiner)	03/27/2015  (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

<b>Issue Classification</b> 	<b>Application/Control No.</b> 14492487	<b>Applicant(s)/Patent Under Reexamination</b> MALONE, JOSHUA
	<b>Examiner</b> ANDREW STCLAIR	<b>Art Unit</b> 3754

<input checked="" type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b> <input type="checkbox"/> <b>CPA</b> <input type="checkbox"/> <b>T.D.</b> <input type="checkbox"/> <b>R.1.47</b>															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1														
2	3														
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/ANDREW STCLAIR/ Examiner.Art Unit 3754  (Assistant Examiner)	3/25/15  (Date)	<b>Total Claims Allowed:</b>  14	
/KEVIN P SHAVER/ Supervisory Patent Examiner.Art Unit 3754  (Primary Examiner)	03/27/2015  (Date)	O.G. Print Claim(s)  1	O.G. Print Figure  1

<b>Search Notes</b>  	<b>Application/Control No.</b>  14492487	<b>Applicant(s)/Patent Under Reexamination</b>  MALONE, JOSHUA
	<b>Examiner</b>  ANDREW STCLAIR	<b>Art Unit</b>  3751

CPC- SEARCHED		
Symbol	Date	Examiner
A63H27/10	11/6/14	ADS
A63H2027/1041	3/19/15	ADS
A63H2027/105	3/19/15	ADS
A63H2027/1033	3/19/15	ADS
B65B3/04	3/19/15	ADS
B65B3/28	3/19/15	ADS

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
141	234-248	11/6/14	ADS
383	3, 71	11/6/14	ADS
446	220-226	3/19/15	ADS
141	10, 114	3/19/15	ADS

SEARCH NOTES		
Search Notes	Date	Examiner
Consulted Jes Pascua for class 383 search	10/30/14	ADS
Inventor search in EAST	10/30/14	ADS
Text only search	10/30/14	ADS
STIC search	10/30/14	ADS
Consulted Tim Maust for 141 search	3/19/15	ADS
Consulted John Ricci for 446 search	3/19/15	ADS

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
A63H	27/10	3/26/15	ADS

/ANDREW ST. CLAIR/  
Examiner, Art Unit 3754

**INTERFERENCE SEARCH**

<b>US Class/ CPC Symbol</b>	<b>US Subclass / CPC Group</b>	<b>Date</b>	<b>Examiner</b>
A63H	2027/1041	3/26/15	ADS
A63H	2027/1033	3/26/15	ADS
A63H	2027/105	3/26/15	ADS
B65B	3/04	3/26/15	ADS
B65B	3/28	3/26/15	ADS

/ANDREW ST. CLAIR/  
Examiner, Art Unit 3754



Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 271 of 360 PageID #: 14492487	
Receipt date: 02/28/2015	
Application Number 2331	
Filing Date	2014-09-22
First Named Inventor	Joshua Malone
Art Unit	3751
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

1				<input type="checkbox"/>
If you wish to add additional non-patent literature document citation information please click the Add button <b>Add</b>				
<b>EXAMINER SIGNATURE</b>				
Examiner Signature	/Andrew StClair/		Date Considered	03/26/2015
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				
<p><sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="http://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.</p>				

**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**  
 ( Not for submission under 37 CFR 1.99)

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ A certification statement is not submitted herewith.

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Brett A. Mangrum/	Date (YYYY-MM-DD)	2015-02-28
Name/Print	Brett A. Mangrum	Registration Number	64,783

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



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The information provided by you in this form will be subject to the following routine uses:

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4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	19	((JOSHUA) near2 (MALONE)).INV.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 06:59
S2	5	tinnus.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/10/29 07:01
S3	312	(141/234).OCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 07:04
S4	2402	(141/234-248).OCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 07:04
S5	7	S4 and balloon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/10/29 07:05
S6	9	("0262517"   "20080121309"   "5127867"   "5234726"   "5873764"   "6176758"   "6478057"   "6478651").PN. OR ("8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:06
S7	81	("0262517"   "0721051"   "0723292"   "1703463"   "1951193"   "20080121309"   "2187493"   "2692751"   "2731768"   "2776530"   "2922252"   "3161998"   "3191801"   "3380490"   "3536110"   "3692071"   "3892081"   "4798554"   "4811841"   "4892500"   "4983138"   "5016428"   "5023118"   "5125177"   "5127867"   "5188558"   "5234726"   "5293707"   "5334072"   "5370161"   "5482492"   "5651402"   "5653272"   "5778581"   "5873764"   "5944576"   "6176758"   "6478057"   "6478651").PN. OR ("2008/0121309"   "262517"   "5127867"   "6176758"   "6478057"   "6478651"   "8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:08

S8	9	(US-8789565-\$ or US-8141326-\$ <del>2885</del> 5944576-\$ or US-5029851-\$ or US- 2922252-\$ or US-1703463\$).did. or (US-3161998-\$ or US-2922252-\$).did. or (US-8789565-\$).did.	USPAT; USOCR; DERWENT	OR	ON	2014/10/29 07:31
S9	79	("0262517"   "20080121309"   "20090050835"   "20100038906"   "2161274"   "2449147"   "2882645"   "3002240"   "3041766"   "3161998"   "3630555"   "4453711"   "4589854"   "4729749"   "4837059"   "4881916"   "4895545"   "4989906"   "5016428"   "5039142"   "5067301"   "5121595"   "5127867"   "5234726"   "5314217"   "5389030"   "5439199"   "5568950"   "5611578"   "5873764"   "5882051"   "6082785"   "6176758"   "6325426"   "6408902"   "6478057"   "6478651"   "6540267"   "6851675"   "6902212"   "7549683").PN. OR ("1703463"   "2922252"   "3161998"   "5029851"   "5944576"   "8141326"   "8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:32
S10	6241	balloon.ti.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:39
S11	1920	(balloon or balloons) with (inflate or blow or "blow up" or "blowup" or "blow- up" or fill or filling or inflating) with (multiple or plural or "more than one" or two)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:40
S12	60	S11 and ("141"/\$.ccls. or "222"/\$.ccls. or "137"/\$.ccls. or "251"/\$.ccls.)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:44
S13	4	("2008/0121309").URPN.	USPAT	OR	ON	2014/10/29 07:56
S14	7831	balloon and (filling or fill or inflating or inflate)	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:34
S15	8310	balloon and (filling or fill or inflating or inflate or blow or "blow up" or "blowing up")	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:34
S16	578	S15 and ((multiple or plural or two or "more than one") near5 (balloon or balloons))	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:36
S17	0	noodlehead	EPO; JPO; DERWENT	OR	ON	2014/10/29 09:08
S18	250	flexible near3 sprinkler	EPO; JPO; DERWENT	OR	ON	2014/10/29 09:08
S19	323	flexible near3 sprinkler	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:09
S20	32	"5826803"	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:10
S21	2	("5826803").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2014/10/29 09:10

		2336	DERWENT; IBM_TDB			
S22	41	("0400683"   "1484575"   "1989525"   "2757960"   "2968443"   "3301490"   "3402741"   "5312047").PN. OR ("5826803").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:11
S23	6	"water balloon" with ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:18
S24	766	"balloon" with ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:44
S25	99	S24 and (water near4 balloon)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:45
S26	27	"water balloon" same2 ("o ring" or "o- ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:59
S27	33	water.ti. near3 balloon.ti.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 15:57
S28	11	("0718121"   "2027225"   "2193069"   "D159718").PN. OR ("5356327").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:02
S29	25	("20040127311"   "4212460"   "4684137"   "4932672"   "5018449"   "5240450"   "5356327"   "5538456"   "5590886"   "5831199"   "5967916"   "5975983"   "6223658"   "6242489"   "6289819"   "6302028"   "6352032"   "6386113"   "6450100"   "6453819"   "6532947"   "6581521"   "6598807").PN. OR ("7444938").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:03
S30	23	("3156187"   "3419274"   "3791303"   "4212460"   "4240396").PN. OR ("4684137").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:07
S31	2	"water balloon" near5 ("o ring" or "o- ring")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:10
S32	659	"water balloon"	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:11
S33	0	("2005/0176339").URPN.	USPAT	OR	ON	2014/10/29 16:12
S34	0	("2014/0212074").URPN.	USPAT	OR	ON	2014/10/29 16:15
S35	0	("2013/0118640").URPN.	USPAT	OR	ON	2014/10/29 16:29
S36	0	("2011/0151744").URPN.	USPAT	OR	ON	2014/10/29 16:32
S37	0	("2011/0151744").URPN.	USPAT	OR	ON	2014/10/29 16:32
S38	2	("6527615").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2014/10/29 16:33

			2337	DERWENT; IBM_TDB			
S39	4	("4285105").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 16:34
S40	15	("1201045"   "1631205"   "4857029"   "4936532"   "5040903"   "5301392"   "5551127"   "5628091"   "5799377"   "6007403"   "6058572").PN. OR ("6527615").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:34
S41	47	("1098286"   "1166690"   "1242139"   "1350935"   "1467411"   "1478757"   "1543954"   "1986484"   "2396906"   "2457274"   "2460963"   "2844351"   "3236005"   "3366999"   "3383131"   "3780419"   "3820200"   "3962757"   "4189808"   "4428149"   "4570304"   "4697312"   "4914789"   "4936532"   "5628091").PN. OR ("6007403").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:44
S42	37	("1920257"   "2105615"   "2573424"   "2908109"   "2928437"   "3360169"   "4132334"   "4212460"   "4314658"   "4867451"   "4890838"   "4991847"   "5098329"   "5176510"   "5240450"   "5343889"   "5472021"   "5472123"   "5496203"   "5522757"   "5531626"   "5538456"   "5577732"   "5649875").PN. OR ("5975983").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 07:48
S43	9	("3411778"   "3457669"   "5588897"   "5928049").PN. OR ("6149488").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 07:59
S44	34	("0073006"   "1667123"   "1918718"   "2616219"   "2710490"   "3528662"   "3903865"   "4084820"   "4216610"   "4480400"   "4995619"   "5240450"   "5538456"   "5571037").PN. OR ("5928049").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:07
S45	29	("1920257"   "3022785"   "3617060"   "3878639"   "4212460"   "4319426"   "4890838"   "4932672"   "4944521"   "4991847"   "5018449"   "5240450"   "5277642"   "5288261"   "5354225"   "D335901").PN. OR ("5538456").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:15
S46	54	("1423122"   "1920257"   "3022785"   "3369486"   "3617060"   "3878629"   "3878639"   "4113261"   "4212460"   "4319426"   "4538817"   "4761314"   "4890838"   "4932329"   "4932672"   "4944521"   "4991847"   "5018449"   "5240450"   "5277642"   "5288261"   "5354225"   "D335901").PN. OR ("5240450"   "5538456").URPN.		US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:19
S47	79	(US-20080121309-\$ or US- 20140316207-\$ or US-20050138862-\$ or US-20050176339-\$ or US- 20040127311-\$ or US-20140212074-\$ or US-20110151744-\$).did. or (US-		US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/11/06 08:49

		8789565-\$ or US-6478651-\$ or US-6478057-\$ or US-6176758-\$ or US-5127867-\$ or US-0262517-\$ or US-8141326-\$ or US-5944576-\$ or US-5029851-\$ or US-2922252-\$ or US-1703463-\$ or US-4944709-\$ or US-4892500-\$ or US-8251111-\$ or US-8037906-\$ or US-5826803-\$ or US-8733675-\$ or US-3301490-\$ or US-2757960-\$ or US-6149488-\$ or US-7444938-\$ or US-5975983-\$ or US-4684137-\$ or US-5639526-\$ or US-6527615-\$ or US-6007403-\$).did. or (US-5628091-\$ or US-5301392-\$ or US-6540578-\$ or US-3820200-\$ or US-1478757-\$ or US-1350935-\$ or US-1166690-\$ or US-1098286-\$ or US-6793094-\$ or US-5531626-\$ or US-5496203-\$ or US-5538456-\$ or US-5240450-\$ or US-7762214-\$ or US-6598807-\$ or US-6158619-\$ or US-D335901-\$ or US-4212460-\$).did. or (US-3161998-\$ or US-2922252-\$ or US-3301490-\$ or US-2757960-\$ or US-1484575-\$ or US-2027225-\$ or US-1478757-\$ or US-1350935-\$ or US-1098286-\$).did. or (WO-2009157884-\$).did. or (JP-09285648-\$ or JP-06091006-\$).did. or (US-8789565-\$ or US-20140248819-\$ or US-20120289120-\$ or WO-2011130536-\$ or CN-201946184-\$ or WO-2009061969-\$ or WO-2008112223-\$ or FR-2892297-\$ or US-6790120-\$ or US-20020134890-\$ or WO-0174467-\$ or EP-1078647-\$ or US-5833650-\$ or US-5226793-\$ or US-4983138-\$ or EP-70068-\$).did.				
S48	0	S47 and grenage	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 08:49
S49	7	S47 and grenade	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 08:49
S50	674	(383/3).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 09:30
S51	755	(383/71).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2014/11/06 09:31

			2339	DERWENT; IBM_TDB			
S52	1421	S50 or S51		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 09:32
S53	3	("20090050835").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:12
S54	3	("20050004430").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:13
S55	2	("20040174718").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:14
S56	30	(US-20080121309-\$ or US-20050004430-\$ or US-20040174718-\$ or US-20140316207-\$ or US-20110151744-\$ or US-20040127311-\$).did. or (US-6007403-\$ or US-5538456-\$ or US-5826803-\$ or US-6149488-\$ or US-4684137-\$ or US-1478757-\$ or US-D335901-\$ or US-8733675-\$ or US-6527615-\$ or US-6598807-\$ or US-6158619-\$ or US-3301490-\$ or US-2757960-\$ or US-6540578-\$ or US-5240450-\$ or US-8789565-\$ or US-6478651-\$ or US-1166690-\$ or US-1098286-\$ or US-7762214-\$ or US-6478057-\$).did. or (US-3301490-\$ or US-2757960-\$).did. or (US-8789565-\$).did.		US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2014/11/06 10:54
S57	2605	A63H27/10.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 10:59
S58	51	(US-20080121309-\$ or US-20050004430-\$ or US-20040174718-\$ or US-20140316207-\$ or US-20110151744-\$ or US-20040127311-\$).did. or (US-6007403-\$ or US-5538456-\$ or US-5826803-\$ or US-8733675-\$ or US-3301490-\$ or US-4684137-\$ or US-1478757-\$ or US-		US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2014/12/15 08:46

		D335901-\$ or US-6527615-\$ or US-6598807-\$ or US-6158619-\$ or US-2757960-\$ or US-6540578-\$ or US-5240450-\$ or US-8789565-\$ or US-6478651-\$ or US-6149488-\$ or US-1166690-\$ or US-1098286-\$ or US-7762214-\$ or US-6478057-\$ or US-6176758-\$ or US-5127867-\$ or US-0262517-\$ or US-8141326-\$ or US-5944576-\$).did. or (US-5029851-\$ or US-2922252-\$ or US-1703463-\$ or US-4944709-\$ or US-4892500-\$ or US-8251111-\$ or US-8037906-\$ or US-7444938-\$ or US-5975983-\$ or US-5628091-\$ or US-3820200-\$ or US-1350935-\$ or US-5531626-\$ or US-5496203-\$).did. or (US-3301490-\$ or US-2757960-\$ or US-3161998-\$ or US-2922252-\$).did. or (US-8789565-\$).did.				
S59	4	("5444962").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/15 09:09
S60	2	("20100326212").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/18 08:30
S61	4	("6047866").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/18 08:33
S62	7	("2010045658").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/18 08:36
S63	843	A63H2027/1041.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 09:41
S64	83	A63H2027/105.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 09:42
S65	443	A63H2027/1033.cpc.	US-PGPUB;	OR	ON	2015/03/19



			2341	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			09:42
S66	1234	S63 or S64 or S65		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 09:43
S67	1703	446/220-226.ccls.		US-PGPUB; USPAT; USOCR	OR	ON	2015/03/19 13:44
S68	57701	"446"/\$.ccls.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:45
S69	2321	S68 and (balloon or inflate or inflatable)		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:46
S70	843	A63H2027/1041.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S71	83	A63H2027/105.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S72	443	A63H2027/1033.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S73	1234	S70 or S71 or S72		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S74	2391	(S67 or S69) not S73		US-PGPUB; USPAT; USOCR;	OR	ON	2015/03/19 13:47

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USOCR

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S89	2391	(S82 or S84) not S88		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
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S113	1695	B65B3/04.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:07
S114	683	B65B3/28.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:08
S115	2370	S113 or S114		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:08
S116	96	S115 and ((container or chamber or vessel or balloon) and (fastener or "rubber band" or "o ring" or "o-ring" or elastic))		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:10
S117	3	S115 and balloon		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:11

**EAST Search History (Interference)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S100	923	A63H27/10.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:57
S101	258	A63H2027/1041.cpc.	US-	OR	ON	2015/03/26

		2354	PGPUB; USPAT			12:57
S102	32	A63H2027/105.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:57
S103	135	A63H2027/1033.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:57
S104	394	B65B3/04.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:58
S105	139	B65B3/28.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:59
S106	1467	S100 or S101 or S102 or S103 or S104 or S105	US- PGPUB; USPAT	OR	ON	2015/03/26 12:59
S107	28	S106 and ((fastener or "rubber band" or "o ring" or "o-ring" or elastic) and (container or vessel or chamber or balloon) and (pipe or tube or conduit or channel)).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:01
S108	0	S106 and ((fastener or "rubber band" or "o ring" or "o-ring" or elastic) and ((connecting or holding or connection or grip or gripping) near2 force)).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:03
S109	0	S106 and ((fastener or "rubber band" or "o ring" or "o-ring" or elastic) and ((connecting or holding or connection or grip or gripping) near2 (force or strength or pressure))).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:04
S110	3	S106 and (balloon and ((connecting or holding or connection or grip or gripping) near2 (force or strength or pressure))).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:05
S111	0	S106 and ("connecting force" and container and fastener and tube).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:06
S112	0	("connecting force" and container and fastener and tube).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:06

3/ 26/ 2015 3:52:48 PM

C:\Users\astclair\Documents\EAST\Workspaces\14492487 - system and method for  
filling containers with fluids.wsp




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## BIB DATA SHEET

CONFIRMATION NO. 4365

<b>SERIAL NUMBER</b> 14/492,487	<b>FILING or 371(c) DATE</b> 09/22/2014 <b>RULE</b>	<b>CLASS</b> 141	<b>GROUP ART UNIT</b> 3754	<b>ATTORNEY DOCKET NO.</b> 02-14224	
<b>APPLICANTS</b> TINNUS ENTERPRISES, LLC, PLANO, TX, Assignee (with 37 CFR 1.172 Interest); <b>INVENTORS</b> JOSHUA MALONE, PLANO, TX; <b>** CONTINUING DATA *****</b> This appln claims benefit of 61/942,193 02/20/2014 and claims benefit of 61/937,083 02/07/2014 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY **</b> 09/26/2014					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /ANDREW D STCLAIR/ Acknowledged Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> TX	<b>SHEETS DRAWINGS</b> 6	<b>TOTAL CLAIMS</b> 28	<b>INDEPENDENT CLAIMS</b> 6
<b>ADDRESS</b> Brett Mangrum 1515 N Town East Blvd., STE 138 Mesquite, TX 75150 UNITED STATES					
<b>TITLE</b> SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS					
<b>FILING FEE RECEIVED</b> 1680	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b>  14492487	<b>Applicant(s)/Patent Under Reexamination</b>  MALONE, JOSHUA
	<b>Examiner</b>  ANDREW STCLAIR	<b>Art Unit</b>  3754

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant				<input type="checkbox"/> CPA				<input type="checkbox"/> T.D.				<input type="checkbox"/> R.1.47			
CLAIM		DATE													
Final	Original	11/05/2014	03/25/2015												
1	1	✓	=												
	2	✓	-												
2	3	✓	=												
3	4	✓	=												
4	5	✓	=												
5	6	✓	=												
6	7	✓	=												
7	8	✓	=												
8	9	✓	=												
9	10	✓	=												
	11	✓	-												
10	12	✓	=												
11	13	✓	=												
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	25	-	-												
	26	✓	-												
	27	✓	-												
	28	✓	-												
14	29		=												



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		14492487
	Filing Date		2014-09-22
	First Named Inventor	Joshua Malone	
	Art Unit		3751
	Examiner Name	ST.CLAIR, ANDREW D	
	Attorney Docket Number		02-14224

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	2617624		1952-11-11	Andrew Jackson Annis	
	2	5381964		1995-01-17	John M. Reyna	
	3	5439199		1995-08-08	Michael Briggs et al.	
	4	8141326		2012-03-27	Chialeh Wang	

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	1	20140212074		2013-01-25	Lance Durst	

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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> j	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>

Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 298 of 360 PageID #: 14492487	
Receipt date: 03/19/2015	
Application Number 2358	
Filing Date	2014-09-22
First Named Inventor	Joshua Malone
Art Unit	3751
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

1	WO2015/027187	US		2015-02-26	Kendall D. Harter et al.	<input type="checkbox"/>
2	GB294273	GB		1928-07-20	James Simpson et al.	<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button **Add**

**NON-PATENT LITERATURE DOCUMENTS**

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1		<input type="checkbox"/>

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**EXAMINER SIGNATURE**

Examiner Signature	/Andrew StClair/	Date Considered	03/26/2015
--------------------	------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**  
 ( Not for submission under 37 CFR 1.99)

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ A certification statement is not submitted herewith.

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Brett A. Mangrum/	Date (YYYY-MM-DD)	2015-03-19
Name/Print	Brett A. Mangrum	Registration Number	64,783

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

130382 7590 04/07/2015  
**Brett Mangrum**  
**1515 N Town East Blvd., STE 138**  
**Mesquite, TX 75150**

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

TITLE OF INVENTION: SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

APPL. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEES DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	07/07/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
STCLAIR, ANDREW D	3753	141-234000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1.....
- 2.....
- 3.....

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY and STATE OR COUNTRY)

**TINNUS ENTERPRISES, LLC****PLANO, TEXAS**Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies .....

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☒ Payment by credit card.
- ☐ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number ..... (enclose an extra copy of this form).

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- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /BRETT MANGRUM/

Typed or printed name BRETT MANGRUM

Date 04/10/2015

Registration No. 64783

Electronic Patent Application Fee Transmittal				
<b>Application Number:</b>		14492487		
<b>Filing Date:</b>		22-Sep-2014		
<b>Title of Invention:</b>		SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		
<b>First Named Inventor/Applicant Name:</b>		JOSHUA MALONE		
<b>Filer:</b>		Brett A. Mangrum		
<b>Attorney Docket Number:</b>		02-14224		
Filed as Small Entity				
<b>Filing Fees for Utility under 35 USC 111(a)</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Utility Appl Issue Fee	2501	1	480	480

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				480

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	22026898
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	130382
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	10-APR-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	13:16:59
<b>Application Type:</b>	Utility under 35 USC 111(a)

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Payment was successfully received in RAM	\$480
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			076fa2b5d329807557d02ebfdd0cac4962088d		

**Warnings:**

**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	30338	no	2
			5a56986b7ae7be2d9942e7480f0e8e86e03515a4		

**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>			190359
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL  
(Submitted Only via EFS-Web)**

Application Number	14/492,487	Filing Date	2015-09-22	Docket Number (if applicable)	02-14224	Art Unit	3754
First Named Inventor	JOSHUA MALONE			Examiner Name	ST.CLAIR, ANDREW D		

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

**SUBMISSION REQUIRED UNDER 37 CFR 1.114**

**Note:** If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

☐ Other \_\_\_\_\_

☒ Enclosed

☐ Amendment/Reply

☒ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other \_\_\_\_\_

**MISCELLANEOUS**

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months \_\_\_\_\_  
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☒ Other In the event that no item of information in the IDS necessitates reopening prosecution, the undersigned understands that this "conditional" RCE will not be processed and the RCE fee under 37 CFR 1.17(e) will be returned.

**FEES**

**The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to  
Deposit Account No 506717

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

☒ Patent Practitioner Signature

☐ Applicant Signature

Signature of Registered U.S. Patent Practitioner			
Signature	/Brett Mangrum/	Date (YYYY-MM-DD)	2015-04-21
Name	Brett Mangrum	Registration Number	64783

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		14492487
	Filing Date		2014-09-22
	First Named Inventor	JOSHUA MALONE	
	Art Unit	3754	
	Examiner Name	ST.CLAIR, ANDREW D	
	Attorney Docket Number	02-14224	

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Application Number  
2370

14492487

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Filing Date

2014-09-22

First Named Inventor

JOSHUA MALONE

Art Unit

3754

Examiner Name

ST.CLAIR, ANDREW D

Attorney Docket Number

02-14224

1

<https://www.youtube.com/watch?v=HIZjZlI2O8o>, accessed 4/7/15, allegedly published 5/12/14.

2

<https://www.youtube.com/watch?v=wCajj0KPV7c>, accessed 4/7/15, allegedly published 8/19/14.If you wish to add additional non-patent literature document citation information please click the Add button **Add****EXAMINER SIGNATURE**

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	2371
Filing Date	2014-09-22
First Named Inventor	JOSHUA MALONE
Art Unit	3754
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

- ☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ A certification statement is not submitted herewith.

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Brett A. Mangrum/	Date (YYYY-MM-DD)	2015-04-21
Name/Print	Brett A. Mangrum	Registration Number	64,783

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

**Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



<b>Electronic Patent Application Fee Transmittal</b>				
<b>Application Number:</b>	14492487			
<b>Filing Date:</b>	22-Sep-2014			
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS			
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE			
<b>Filer:</b>	Brett A. Mangrum			
<b>Attorney Docket Number:</b>	02-14224			
Filed as Small Entity				
<b>Filing Fees for Utility under 35 USC 111(a)</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
Petition Fee-37CFR 1.17(h) (Group II)	2464	1	70	70
Request for Continued Examination	2801	1	600	600
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				670



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Commissioner for Patents  
United States Patent and Trademark Office  
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www.uspto.gov

Decision Date : April 21, 2015

In re Application of :

JOSHUA MALONE

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 14492487

Filed : 22-Sep-2014

Attorney Docket No : 02-14224

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed April 21, 2015 , to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

**Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.**

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 3754 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	22118248
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	130382
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	21-APR-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	10:56:51
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$670
RAM confirmation Number	9983
Deposit Account	506717
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and examination fees) \$1,066

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition automatically granted by EFS	petition-request.pdf	31519	no	2
			98cfd1e5499fc3594e6eb1ee9dfc9040652d7f25		
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	RCE.pdf	697759	no	3
			a0f8cc0b0c85418b50ed293809f59113f836fa1c		
Warnings:					
Information:					
3	Quick Path Information Disclosure Statement	QPIDSb0009.pdf	166446	no	2
			049ab1b3586246042349e82a4f5d5b4ed9164a6c		
Warnings:					
Information:					
4	Information Disclosure Statement (IDS) Form (SB08)	QPIDS.pdf	612090	no	4
			1e984b166431ecc24e3569d83a36e58fd4394030		
Warnings:					
Information:					
A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.					
5	Fee Worksheet (SB06)	fee-info.pdf	32455	no	2
			31c071883c55472522fe0f98ec0b615bbb04de64		
Warnings:					
Information:					
Total Files Size (in bytes):			1540269		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Petition Request	<b>PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)</b>
Application Number	14492487
Filing Date	22-Sep-2014
First Named Inventor	JOSHUA MALONE
Art Unit	3754
Examiner Name	ANDREW STCLAIR
Attorney Docket Number	02-14224
Title	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS

An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).

A grantable petition requires the following items:

- (1) Petition fee; and
- (2) One of the following reasons:
  - (a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;
  - (b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or
  - (c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).

#### Petition Fee

<input checked="" type="radio"/> Small Entity
<input type="radio"/> Micro Entity
<input type="radio"/> Regular Undiscounted

Reason for withdrawal from issue

- ☐ One or more claims are unpatentable
- ☒ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- ☐ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

- ☐ I certify, in accordance with 37 CFR 1.4(d)(4) that:
- ☐ The RCE request, submission, and fee have already been filed in the above-identified application on
- ☒ Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- ☒ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ☐ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- ☐ A sole inventor
- ☐ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application
- ☐ A joint inventor; all of whom are signing this e-petition

Signature	/Brett Mangrum/
Name	Brett Mangrum
Registration Number	64783



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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		14492487
	Filing Date		2014-09-22
	First Named Inventor	Joshua Malone	
	Art Unit		3751
	Examiner Name	ST.CLAIR, ANDREW D	
	Attorney Docket Number		02-14224

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Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	2617624		1952-11-11	Andrew Jackson Annis	
	2	5381964		1995-01-17	John M. Reyna	
	3	5439199		1995-08-08	Michael Briggs et al.	
	4	8141326		2012-03-27	Chialeh Wang	

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Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
Change(s) applied to document.	1	20140212074		<del>2013-01-25</del>	Lance Durst	July 31, 2014

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14/2015	Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	09/22/2014	JOSHUA MALONE	02-14224	4365

130382 7590 05/11/2015  
Brett Mangrum  
1515 N Town East Blvd., STE 138  
Mesquite, TX 75150

EXAMINER
----------

STCLAIR, ANDREW D

ART UNIT	PAPER NUMBER
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3754

NOTIFICATION DATE	DELIVERY MODE
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05/11/2015

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

brett@etheridgelaw.com  
jmalone@tinnus.com

<b>Supplemental Notice of Allowability</b>	<b>Application No.</b> 14/492,487 <b>Examiner</b> ANDREW ST. CLAIR	<b>Applicant(s)</b> MALONE, JOSHUA <b>Art Unit</b> 3754 <b>AIA (First Inventor to File) Status</b> Yes
--	---	---

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/21/15.  
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☐ The allowed claim(s) is/are \_\_\_\_\_. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
**Certified copies:**  
 a) ☐ All    b) ☐ Some    \*c) ☐ None of the:  
     1. ☐ Certified copies of the priority documents have been received.  
     2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* Certified copies not received: \_\_\_\_\_.

Applicant has **THREE MONTHS FROM THE "MAILING DATE"** of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>4/21/15</u> 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 4. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.	5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____.
---	---

/ADS/ Patent Examiner, Art Unit 3754	/KEVIN P. SHAVER/ Supervisory Patent Examiner, Art Unit 3754
---	---

Application/Control Number: 14/492,487  
Art Unit: 3754

Page 2

### **DETAILED ACTION**

The IDS of April 21, 2015 has been considered. The allowed claims have support in the provisional application of February 7, 2014, and neither the Examiner nor STIC could establish a publication date for the youtube videos which would predate the provisional application. As such, the information submitted does not change the earlier determination of allowability. The Examiner's Amendment and Reasons for Allowance of April 7, 2015 are still applicable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW ST.CLAIR whose telephone number is (571)270-0238. The examiner can normally be reached on 7:30 am - 6:00 pm EST Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ADS/  
Art Unit 3754

/KEVIN P. SHAVER/  
Supervisory Patent Examiner, Art Unit 3754

2385

<b>Notice of References Cited</b>	Application/Control No. 14/492,487	Applicant(s)/Patent Under Reexamination MALONE, JOSHUA	
	Examiner ANDREW ST.CLAIR	Art Unit 3754	Page 1 of 1

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	"Hundreds of water balloons in minutes! ZORBZ Replicator System coming to retailers 2015", www.youtube.com/watch?v=wCajj0KPV7c, published August 19, 2014.
	V	"How-To Video for ZORBZ Water Balloons", www.youtube.com/watch?v=HIZjZII2O8o, published May 12, 2014.
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

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Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 327 of 360 PageID #: 14492487	
Receipt date: 04/21/2015	
Application Number 2387	
Filing Date	2014-09-22
First Named Inventor	JOSHUA MALONE
Art Unit	3754
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

1	<a href="https://www.youtube.com/watch?v=HIZjZII2O8o">https://www.youtube.com/watch?v=HIZjZII2O8o</a> , accessed 4/7/15, allegedly published 5/12/14.	<input type="checkbox"/>
2	<a href="https://www.youtube.com/watch?v=wCajj0KPV7c">https://www.youtube.com/watch?v=wCajj0KPV7c</a> , accessed 4/7/15, allegedly published 8/19/14.	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

**EXAMINER SIGNATURE**

Examiner Signature	/Andrew StClair/	Date Considered	05/04/2015
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Case 6:15-cv-00551-RWS-JDL Document 34-1 Filed 08/06/15 Page 328 of 360 PageID #: 14492487	
Receipt date: 04/21/2015	
Application Number	2388
Filing Date	2014-09-22
First Named Inventor	JOSHUA MALONE
Art Unit	3754
Examiner Name	ST.CLAIR, ANDREW D
Attorney Docket Number	02-14224

### CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ A certification statement is not submitted herewith.

### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Brett A. Mangrum/	Date (YYYY-MM-DD)	2015-04-21
Name/Print	Brett A. Mangrum	Registration Number	64,783

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	19	((JOSHUA) near2 (MALONE)).INV.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 06:59
S2	5	tinnus.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/10/29 07:01
S3	312	(141/234).OCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 07:04
S4	2402	(141/234-248).OCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 07:04
S5	7	S4 and balloon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/10/29 07:05
S6	9	("0262517"   "20080121309"   "5127867"   "5234726"   "5873764"   "6176758"   "6478057"   "6478651").PN. OR ("8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:06
S7	81	("0262517"   "0721051"   "0723292"   "1703463"   "1951193"   "20080121309"   "2187493"   "2692751"   "2731768"   "2776530"   "2922252"   "3161998"   "3191801"   "3380490"   "3536110"   "3692071"   "3892081"   "4798554"   "4811841"   "4892500"   "4983138"   "5016428"   "5023118"   "5125177"   "5127867"   "5188558"   "5234726"   "5293707"   "5334072"   "5370161"   "5482492"   "5651402"   "5653272"   "5778581"   "5873764"   "5944576"   "6176758"   "6478057"   "6478651").PN. OR ("2008/0121309"   "262517"   "5127867"   "6176758"   "6478057"   "6478651"   "8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:08

S8	9	(US-8789565-\$ or US-8141326-\$ <del>2895</del> 5944576-\$ or US-5029851-\$ or US- 2922252-\$ or US-1703463-\$).did. or (US-3161998-\$ or US-2922252-\$).did. or (US-8789565-\$).did.	USPAT; USOCR; DERWENT	OR	ON	2014/10/29 07:31
S9	79	("0262517"   "20080121309"   "20090050835"   "20100038906"   "2161274"   "2449147"   "2882645"   "3002240"   "3041766"   "3161998"   "3630555"   "4453711"   "4589854"   "4729749"   "4837059"   "4881916"   "4895545"   "4989906"   "5016428"   "5039142"   "5067301"   "5121595"   "5127867"   "5234726"   "5314217"   "5389030"   "5439199"   "5568950"   "5611578"   "5873764"   "5882051"   "6082785"   "6176758"   "6325426"   "6408902"   "6478057"   "6478651"   "6540267"   "6851675"   "6902212"   "7549683").PN. OR ("1703463"   "2922252"   "3161998"   "5029851"   "5944576"   "8141326"   "8789565").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:32
S10	6241	balloon.ti.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:39
S11	1920	(balloon or balloons) with (inflate or blow or "blow up" or "blowup" or "blow- up" or fill or filling or inflating) with (multiple or plural or "more than one" or two)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:40
S12	60	S11 and ("141"/\$.ccls. or "222"/\$.ccls. or "137"/\$.ccls. or "251"/\$.ccls.)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 07:44
S13	4	("2008/0121309").URPN.	USPAT	OR	ON	2014/10/29 07:56
S14	7831	balloon and (filling or fill or inflating or inflate)	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:34
S15	8310	balloon and (filling or fill or inflating or inflate or blow or "blow up" or "blowing up")	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:34
S16	578	S15 and ((multiple or plural or two or "more than one") near5 (balloon or balloons))	EPO; JPO; DERWENT	OR	ON	2014/10/29 08:36
S17	0	noodlehead	EPO; JPO; DERWENT	OR	ON	2014/10/29 09:08
S18	250	flexible near3 sprinkler	EPO; JPO; DERWENT	OR	ON	2014/10/29 09:08
S19	323	flexible near3 sprinkler	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:09
S20	32	"5826803"	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:10
S21	2	("5826803").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2014/10/29 09:10

		2392	DERWENT; IBM_TDB			
S22	41	("0400683"   "1484575"   "1989525"   "2757960"   "2968443"   "3301490"   "3402741"   "5312047").PN. OR ("5826803").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:11
S23	6	"water balloon" with ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:18
S24	766	"balloon" with ("o ring" or "o-ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:44
S25	99	S24 and (water near4 balloon)	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:45
S26	27	"water balloon" same2 ("o ring" or "o- ring" or "rubber band" or "elastic band" or "elastomer band" or "elastomeric band")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 09:59
S27	33	water.ti. near3 balloon.ti.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 15:57
S28	11	("0718121"   "2027225"   "2193069"   "D159718").PN. OR ("5356327").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:02
S29	25	("20040127311"   "4212460"   "4684137"   "4932672"   "5018449"   "5240450"   "5356327"   "5538456"   "5590886"   "5831199"   "5967916"   "5975983"   "6223658"   "6242489"   "6289819"   "6302028"   "6352032"   "6386113"   "6450100"   "6453819"   "6532947"   "6581521"   "6598807").PN. OR ("7444938").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:03
S30	23	("3156187"   "3419274"   "3791303"   "4212460"   "4240396").PN. OR ("4684137").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:07
S31	2	"water balloon" near5 ("o ring" or "o- ring")	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:10
S32	659	"water balloon"	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:11
S33	0	("2005/0176339").URPN.	USPAT	OR	ON	2014/10/29 16:12
S34	0	("2014/0212074").URPN.	USPAT	OR	ON	2014/10/29 16:15
S35	0	("2013/0118640").URPN.	USPAT	OR	ON	2014/10/29 16:29
S36	0	("2011/0151744").URPN.	USPAT	OR	ON	2014/10/29 16:32
S37	0	("2011/0151744").URPN.	USPAT	OR	ON	2014/10/29 16:32
S38	2	("6527615").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2014/10/29 16:33

		2393	DERWENT; IBM_TDB			
S39	4	("4285105").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/29 16:34
S40	15	("1201045"   "1631205"   "4857029"   "4936532"   "5040903"   "5301392"   "5551127"   "5628091"   "5799377"   "6007403"   "6058572").PN. OR ("6527615").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:34
S41	47	("1098286"   "1166690"   "1242139"   "1350935"   "1467411"   "1478757"   "1543954"   "1986484"   "2396906"   "2457274"   "2460963"   "2844351"   "3236005"   "3366999"   "3383131"   "3780419"   "3820200"   "3962757"   "4189808"   "4428149"   "4570304"   "4697312"   "4914789"   "4936532"   "5628091").PN. OR ("6007403").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/10/29 16:44
S42	37	("1920257"   "2105615"   "2573424"   "2908109"   "2928437"   "3360169"   "4132334"   "4212460"   "4314658"   "4867451"   "4890838"   "4991847"   "5098329"   "5176510"   "5240450"   "5343889"   "5472021"   "5472123"   "5496203"   "5522757"   "5531626"   "5538456"   "5577732"   "5649875").PN. OR ("5975983").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 07:48
S43	9	("3411778"   "3457669"   "5588897"   "5928049").PN. OR ("6149488").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 07:59
S44	34	("0073006"   "1667123"   "1918718"   "2616219"   "2710490"   "3528662"   "3903865"   "4084820"   "4216610"   "4480400"   "4995619"   "5240450"   "5538456"   "5571037").PN. OR ("5928049").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:07
S45	29	("1920257"   "3022785"   "3617060"   "3878639"   "4212460"   "4319426"   "4890838"   "4932672"   "4944521"   "4991847"   "5018449"   "5240450"   "5277642"   "5288261"   "5354225"   "D335901").PN. OR ("5538456").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:15
S46	54	("1423122"   "1920257"   "3022785"   "3369486"   "3617060"   "3878629"   "3878639"   "4113261"   "4212460"   "4319426"   "4538817"   "4761314"   "4890838"   "4932329"   "4932672"   "4944521"   "4991847"   "5018449"   "5240450"   "5277642"   "5288261"   "5354225"   "D335901").PN. OR ("5240450"   "5538456").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/11/06 08:19
S47	79	(US-20080121309-\$ or US- 20140316207-\$ or US-20050138862-\$ or US-20050176339-\$ or US- 20040127311-\$ or US-20140212074-\$ or US-20110151744-\$).did. or (US-	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/11/06 08:49

		8789565-\$ or US-6478651-\$ or US-6478057-\$ or US-6176758-\$ or US-5127867-\$ or US-0262517-\$ or US-8141326-\$ or US-5944576-\$ or US-5029851-\$ or US-2922252-\$ or US-1703463-\$ or US-4944709-\$ or US-4892500-\$ or US-8251111-\$ or US-8037906-\$ or US-5826803-\$ or US-8733675-\$ or US-3301490-\$ or US-2757960-\$ or US-6149488-\$ or US-7444938-\$ or US-5975983-\$ or US-4684137-\$ or US-5639526-\$ or US-6527615-\$ or US-6007403-\$).did. or (US-5628091-\$ or US-5301392-\$ or US-6540578-\$ or US-3820200-\$ or US-1478757-\$ or US-1350935-\$ or US-1166690-\$ or US-1098286-\$ or US-6793094-\$ or US-5531626-\$ or US-5496203-\$ or US-5538456-\$ or US-5240450-\$ or US-7762214-\$ or US-6598807-\$ or US-6158619-\$ or US-D335901-\$ or US-4212460-\$).did. or (US-3161998-\$ or US-2922252-\$ or US-3301490-\$ or US-2757960-\$ or US-1484575-\$ or US-2027225-\$ or US-1478757-\$ or US-1350935-\$ or US-1098286-\$).did. or (WO-2009157884-\$).did. or (JP-09285648-\$ or JP-06091006-\$).did. or (US-8789565-\$ or US-20140248819-\$ or US-20120289120-\$ or WO-2011130536-\$ or CN-201946184-\$ or WO-2009061969-\$ or WO-2008112223-\$ or FR-2892297-\$ or US-6790120-\$ or US-20020134890-\$ or WO-0174467-\$ or EP-1078647-\$ or US-5833650-\$ or US-5226793-\$ or US-4983138-\$ or EP-70068-\$).did.				
S48	0	S47 and grenage	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 08:49
S49	7	S47 and grenade	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 08:49
S50	674	(383/3).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 09:30
S51	755	(383/71).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2014/11/06 09:31

			2395	DERWENT; IBM_TDB			
S52	1421	S50 or S51		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 09:32
S53	3	("20090050835").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:12
S54	3	("20050004430").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:13
S55	2	("20040174718").PN.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/11/06 10:14
S56	30	(US-20080121309-\$ or US-20050004430-\$ or US-20040174718-\$ or US-20140316207-\$ or US-20110151744-\$ or US-20040127311-\$).did. or (US-6007403-\$ or US-5538456-\$ or US-5826803-\$ or US-6149488-\$ or US-4684137-\$ or US-1478757-\$ or US-D335901-\$ or US-8733675-\$ or US-6527615-\$ or US-6598807-\$ or US-6158619-\$ or US-3301490-\$ or US-2757960-\$ or US-6540578-\$ or US-5240450-\$ or US-8789565-\$ or US-6478651-\$ or US-1166690-\$ or US-1098286-\$ or US-7762214-\$ or US-6478057-\$).did. or (US-3301490-\$ or US-2757960-\$).did. or (US-8789565-\$).did.		US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2014/11/06 10:54
S57	2605	A63H27/10.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2014/11/06 10:59
S58	51	(US-20080121309-\$ or US-20050004430-\$ or US-20040174718-\$ or US-20140316207-\$ or US-20110151744-\$ or US-20040127311-\$).did. or (US-6007403-\$ or US-5538456-\$ or US-5826803-\$ or US-8733675-\$ or US-3301490-\$ or US-4684137-\$ or US-1478757-\$ or US-		US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2014/12/15 08:46

		D335901-\$ or US-6527615-\$ or US-6598807-\$ or US-6158619-\$ or US-2757960-\$ or US-6540578-\$ or US-5240450-\$ or US-8789565-\$ or US-6478651-\$ or US-6149488-\$ or US-1166690-\$ or US-1098286-\$ or US-7762214-\$ or US-6478057-\$ or US-6176758-\$ or US-5127867-\$ or US-0262517-\$ or US-8141326-\$ or US-5944576-\$).did. or (US-5029851-\$ or US-2922252-\$ or US-1703463-\$ or US-4944709-\$ or US-4892500-\$ or US-8251111-\$ or US-8037906-\$ or US-7444938-\$ or US-5975983-\$ or US-5628091-\$ or US-3820200-\$ or US-1350935-\$ or US-5531626-\$ or US-5496203-\$).did. or (US-3301490-\$ or US-2757960-\$ or US-3161998-\$ or US-2922252-\$).did. or (US-8789565-\$).did.				
S59	4	("5444962").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/12/15 09:09
S60	2	("20100326212").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/18 08:30
S61	4	("6047866").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/18 08:33
S62	7	("2010045658").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/18 08:36
S63	843	A63H2027/1041.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 09:41
S64	83	A63H2027/105.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 09:42
S65	443	A63H2027/1033.cpc.	US-PGPUB;	OR	ON	2015/03/19



			2397	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			09:42
S66	1234	S63 or S64 or S65		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 09:43
S67	1703	446/220-226.ccls.		US-PGPUB; USPAT; USOCR	OR	ON	2015/03/19 13:44
S68	57701	"446"/\$.ccls.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:45
S69	2321	S68 and (balloon or inflate or inflatable)		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:46
S70	843	A63H2027/1041.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S71	83	A63H2027/105.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S72	443	A63H2027/1033.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S73	1234	S70 or S71 or S72		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/19 13:47
S74	2391	(S67 or S69) not S73		US-PGPUB; USPAT; USOCR;	OR	ON	2015/03/19 13:47

			2398	FPRS; EPO; JPO; DERWENT; IBM_TDB			
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S82	1703	446/220-226.ccls.	US-PGPUB; USPAT; USOCR	OR	ON	2015/03/20 10:35
S83	57701	"446"/\$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S84	2321	S83 and (balloon or inflate or inflatable)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S85	843	A63H2027/1041.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S86	83	A63H2027/105.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S87	443	A63H2027/1033.cpc.	US-PGPUB; USPAT; USOCR;	OR	ON	2015/03/20 10:35

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S88	1234	S85 or S86 or S87		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S89	2391	(S82 or S84) not S88		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S90	2249	S81 not S89		US-PGPUB; USPAT; USOCR	OR	ON	2015/03/20 10:35
S91	843	A63H2027/1041.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S92	83	A63H2027/105.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S93	443	A63H2027/1033.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
S94	1234	S91 or S92 or S93		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/20 10:35
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S99	169	(114/114).OCLS.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2015/03/23 16:25
S113	1695	B65B3/04.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:07
S114	683	B65B3/28.cpc.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:08
S115	2370	S113 or S114		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:08
S116	96	S115 and ((container or chamber or vessel or balloon) and (fastener or "rubber band" or "o ring" or "o-ring" or elastic))		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:10
S117	3	S115 and balloon		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/03/26 13:11
S118	0	zorbz		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/04/30 15:41
S119	4	"blue matrix labs".as.		US-PGPUB; USPAT; USOCR;	OR	ON	2015/04/30 15:43

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S120	0	"Hydro Toy".as.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/04/30 15:44
S121	0	"Hydro Toys".as.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/04/30 15:44
S122	5	Kendall near3 harter		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/04/30 15:45
S123	256	"blue matrix"		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:16
S124	4	"blue matrix".as.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:16
S125	308	zorb		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:28
S126	1	S125 and balloon		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:28
S127	0	"kent bml"		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:34
S128	74	(mark near3 scott) and austin		US-PGPUB;	OR	ON	2015/05/02

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S129	0	"hydro-toys".as.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:57
S130	0	"hydro-toy".as.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:57
S131	0	(hydro near3 toy).as.		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:57
S132	0	balloon with replicator		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:57
S133	0	balloon same replicator		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:57
S134	63	balloon and replicator		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 14:57
S135	42	(mark near3 scott) and balloon		US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2015/05/02 15:09

**EAST Search History (Interference)**


Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S100	923	A63H27/10.cpc.	US-	OR	ON	2015/03/26

		2412	PGPUB; USPAT			12:57
S101	258	A63H2027/1041.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:57
S102	32	A63H2027/105.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:57
S103	135	A63H2027/1033.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:57
S104	394	B65B3/04.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:58
S105	139	B65B3/28.cpc.	US- PGPUB; USPAT	OR	ON	2015/03/26 12:59
S106	1467	S100 or S101 or S102 or S103 or S104 or S105	US- PGPUB; USPAT	OR	ON	2015/03/26 12:59
S107	28	S106 and ((fastener or "rubber band" or "o ring" or "o-ring" or elastic) and (container or vessel or chamber or balloon) and (pipe or tube or conduit or channel)).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:01
S108	0	S106 and ((fastener or "rubber band" or "o ring" or "o-ring" or elastic) and ((connecting or holding or connection or grip or gripping) near2 force)).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:03
S109	0	S106 and ((fastener or "rubber band" or "o ring" or "o-ring" or elastic) and ((connecting or holding or connection or grip or gripping) near2 (force or strength or pressure))).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:04
S110	3	S106 and (balloon and ((connecting or holding or connection or grip or gripping) near2 (force or strength or pressure))).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:05
S111	0	S106 and ("connecting force" and container and fastener and tube).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:06
S112	0	("connecting force" and container and fastener and tube).clm.	US- PGPUB; USPAT	OR	ON	2015/03/26 13:06

5/ 4/ 2015 5:00:52 PM

C:\Users\astclair\Documents\EAST\Workspaces\14492487 - system and method for  
filling containers with fluids.wsp



<b>Search Notes</b>  	<b>Application/Control No.</b>  14492487	<b>Applicant(s)/Patent Under Reexamination</b>  MALONE, JOSHUA
	<b>Examiner</b>  ANDREW STCLAIR	<b>Art Unit</b>  3751

CPC- SEARCHED		
Symbol	Date	Examiner
A63H27/10	11/6/14	ADS
A63H2027/1041	3/19/15	ADS
A63H2027/105	3/19/15	ADS
A63H2027/1033	3/19/15	ADS
B65B3/04	3/19/15	ADS
B65B3/28	3/19/15	ADS

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
141	234-248	11/6/14	ADS
383	3, 71	11/6/14	ADS
446	220-226	3/19/15	ADS
141	10, 114	3/19/15	ADS

SEARCH NOTES		
Search Notes	Date	Examiner
Consulted Jes Pascua for class 383 search	10/30/14	ADS
Inventor search in EAST	10/30/14	ADS
Text only search	10/30/14	ADS
STIC search	10/30/14	ADS
Consulted Tim Maust for 141 search	3/19/15	ADS
Consulted John Ricci for 446 search	3/19/15	ADS
STIC search to attempt to find earlier date for IDS docs, also did my own google and EAST search for the same	5/2/15	ADS
EAST search for inventor, company and applications involving subject matter submitted on IDS,	5/2/15	ADS

/ANDREW ST. CLAIR/  
Examiner, Art Unit 3754

**INTERFERENCE SEARCH**

<b>US Class/ CPC Symbol</b>	<b>US Subclass / CPC Group</b>	<b>Date</b>	<b>Examiner</b>
A63H	27/10	3/26/15	ADS
A63H	2027/1041	3/26/15	ADS
A63H	2027/1033	3/26/15	ADS
A63H	2027/105	3/26/15	ADS
B65B	3/04	3/26/15	ADS
B65B	3/28	3/26/15	ADS

/ANDREW ST. CLAIR/  
Examiner, Art Unit 3754

ATTORNEY DOCKET NO.  
02-14224  
Confirmation No. 4365

PATENT APPLICATION  
14/492,487

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Josh Malone  
Serial No.: 14/492,487  
Filing Date: Sep. 22, 2014  
Confirmation No.: 4365  
Group Art Unit: 3728  
Examiner: Andrew D. Stclair  
Title: *System and Method for Filling Containers with Fluids*

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO SUPPLEMENTAL NOTICE OF ALLOWABILITY**

Applicant received and appreciated the Supplemental Notice of Allowability dated May 11, 2015. While Applicant understands that no response is due and that the application should automatically move to issuance, out of an abundance of caution Applicant hereby respectfully requests that the application be issued. Pursuant to the Quick Path Information Disclosure Statement (QPIDS) procedure, Applicant also respectfully requests a refund to Deposit Account No. 506747 of the *conditional* RCE fee paid in connection with the QPIDS filing.

Although Applicant believes no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 506747 of the Mangrum Law Group, PLLC.

Respectfully submitted,  
Mangrum Law Group, PLLC  
Attorney for Applicant

/Brett Mangrum/  
Brett Mangrum

Reg. No. 64,783

Date: May 11, 2015  
Customer No. 130382

**Electronic Acknowledgement Receipt**

<b>EFS ID:</b>	22311217
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	130382
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	11-MAY-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	16:42:28
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
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**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Refund Request	5-11-2015_Response.pdf	119934 fe061730d9856beee84eb6dba8eab586404629cc	no	1

**Warnings:****Information:**

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	22118248
<b>Application Number:</b>	14492487
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4365
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS
<b>First Named Inventor/Applicant Name:</b>	JOSHUA MALONE
<b>Customer Number:</b>	130382
<b>Filer:</b>	Brett A. Mangrum
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	02-14224
<b>Receipt Date:</b>	21-APR-2015
<b>Filing Date:</b>	22-SEP-2014
<b>Time Stamp:</b>	10:56:51
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$670
RAM confirmation Number	9983
Deposit Account	506717
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Electronic Patent Application Fee Transmittal				
<b>Application Number:</b>		14492487		
<b>Filing Date:</b>		22-Sep-2014		
<b>Title of Invention:</b>		SYSTEM AND METHOD FOR FILLING CONTAINERS WITH FLUIDS		
<b>First Named Inventor/Applicant Name:</b>		JOSHUA MALONE		
<b>Filer:</b>		Brett A. Mangrum		
<b>Attorney Docket Number:</b>		02-14224		
Filed as Small Entity				
<b>Filing Fees for Utility under 35 USC 111(a)</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
Petition Fee-37CFR 1.17(h) (Group II)	2464	1	70	70
Request for Continued Examination	2801	1	600	600
<b>Pages:</b>				
<b>Claims:</b>				
<div style="text-align: right;"> Adjustment date: 05/12/2015 SDIRETA1  04/21/2015 INTERF 00009383 506717 14492487  02 FC:2801 600.00 CR </div>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/492,487	06/09/2015	9051066	02-14224	4365

130382 7590 05/20/2015

Brett Mangrum  
1515 N Town East Blvd., STE 138  
Mesquite, TX 75150

## ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

### **Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)** (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

JOSHUA MALONE, PLANO, TX;  
TINNUS ENTERPRISES, LLC, PLANO, TX;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov).